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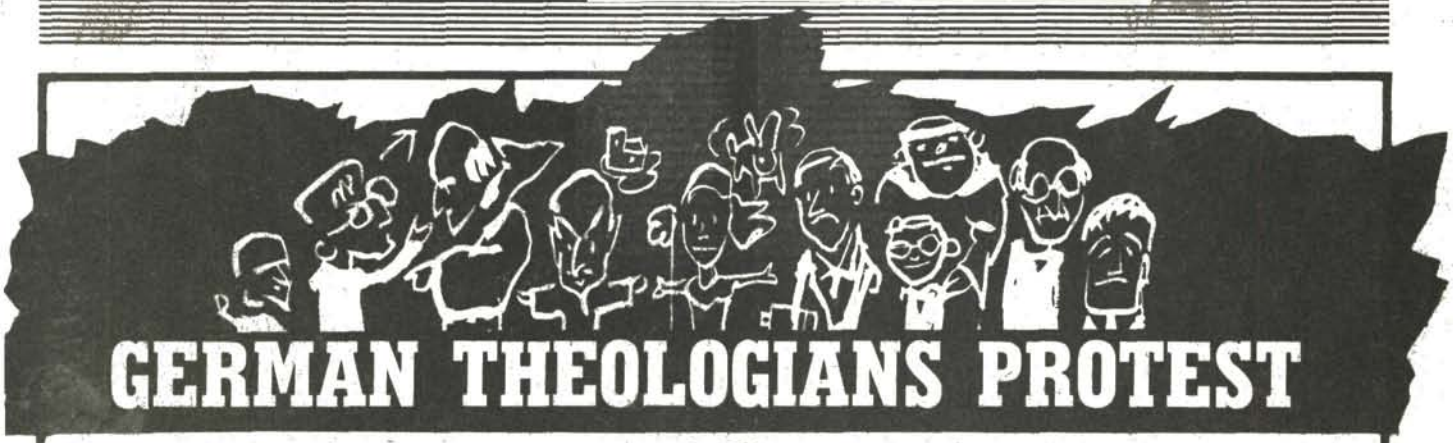

GERMAN THEOLOGIANS PROTEST

Electing Bishops

PHILIP S. KAUFMAN

Children in Combat

EILEEN EGAN

BOOKS

ELIZABETH BEVERLY on Anne Tyler
EDWARD R. F. SHEEHAN on The Sandinistas
ANN BELFORD ULANOV on Anthony Storrs
ROBERT JACKALL on Wall Street High Jinx

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CORRESPONDENCE

Too precious for words

Spring Harbor, N.Y.

To the Editors: I love John Garvey, however, his recent column "Standing in for Jesus" [November 18] compels me to write—but only briefly and only on one of the points where I think he goes wrong. He objects that politics have entered the discussion of whether women should be ordained or not, saying: "Ancient tradition [of an all-male priesthood] should not be dealt with so politically." I think that's being too precious. When you remember, and take seriously, that God is believed to work *in history*, how could he not operate politically? And what do you think those early ecumenical councils were responding to as they whacked out our still current creeds and symbols? My impression has always been that there was a lot of politicking going on, between Arians and Nicenes, between East and West, between emperors and prelates, this person and that person. I believe it would be fair to say that politics has *always* played a large role in church affairs—and thank goodness. Helps to keep the church attached to reality, not nodding in never-never land.

SALLY CAMPBELL

The conception of Jesus

Hollis, N.Y.

To the Editors: Mary Gerhart, in her review of six books by five feminist theologians, captioned "Theologians and Feminism" [November 18, 1988], seeks to assure her readers that "solid scholarship" can validly explore historical tradition and arrive at the proposition that Jesus was probably illegitimate. Indeed, such exploration will lead to a "new understanding of the profundities of birth and death which surpass any structures constructed for their protection and control."

While we stand to gain from scholarship which raises legitimate (pardon the word) questions about sacred matters, care should be taken that it is not overrated. Unfortunately, Ms. Gerhart gives an outline of *The Illegitimacy of Jesus: A Feminist Theological Interpretation of the Infancy Narratives*, which makes that book seem rather thin. Sources are alluded to offhand rather than specified, and speculation is treated as substantiation. It is asserted that suppression and erasure of an allegedly pre-evangelical tradition and the emergence of a "patriarchal form of Christianity" go hand in hand. Ms. Gerhart gives no hint of what documentation author Janet Schage relies on or how thoroughly she formulates her inferences.

Ms. Gerhart's capsule reproduction of the main lines of Ms. Schage's argument may have trivialized it. Of course, the argument itself is a very disturbing one, even judged by modern exegetical standards which hold literal interpretation of much of the Gospels suspect.

Within the last two years I have become more aware of a certain scholarly reserve in writing about Jesus' virgin birth. While there is no outright denial, the belief is so circumscribed by literary and historical considerations that one wonders how essential and important this teaching is.

The illegitimacy thesis portrays the Christian religion as being unable to withstand close scrutiny even on the level of common human experience. Given enough information we can reach reliable conclusions about most human births—who were the mother and father. There are, on the other hand, instances when masculine and feminine sexual behavior may raise doubts about who is the father of a particular baby. To relegate the circumstances of Jesus' conception and birth to the latter, murky category may not be formally scandalous but it is a momentous reversal of a belief held throughout the centuries by millions, apparently without abdicating all claims to rationality.

ROLAND LAIRD

The author replies:

I appreciate Mr. Laird's careful reading and response to my "capsule reproduction" of Janet Schaberg's book. His response warrants a careful reading, as does the book itself. Any capsule outline trivializes a complex argument, so I hope that readers will turn to Schaberg's book to evaluate the case that it makes.

MARY GERHART

Liturgical leaders

Washington, D.C.

To the Editors: Right on, Mark Searle! Searle's diagnosis of the current liturgical problem is absolutely on target ["Renewing the Liturgy—Again," November 18, 1988]. There is no question in my mind that the council's vision has been misunderstood parochially. And he is right that practice is never as easy as theory, so that parish implementation has

(Continued on page 125)

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COMMONWEAL

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Advertising Manager: Ruth E. Taylor
Publisher: Edward S. Skillin

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Facing south

Over the last eight years the Reagan administration pursued a deadly and misguided course in Central America. Its policy, which analyzed every development in terms of East-West confrontation, inflicted terrible suffering and devastation on the people of the region while achieving little in terms of enhancing long-term U.S. policy objectives. Instead of building a sense of hemispheric solidarity, the Reagan policy deepened Latin suspicions and enlarged the distance that already separated us.

The Bush administration takes office with a remarkable and historic opportunity. As Mikhail Gorbachev understood about Afghanistan: in the face of a proven policy failure, there is but one legitimate course—change. But the Bush grace period won't last long, and the people of Central America can hardly be asked to wait longer still. It is important that they know soon whether or not Washington intends to offer them a hand, one that honors their concerns as well as our own.

The place for the Bush administration to begin is to become an engaged, respectful, and disciplined negotiator with all the countries of the region. This means direct negotiations with the government of Nicaragua and belated genuine support for the Arias Accords. That agreement, signed a year and a half ago, has a less-than-perfect record of accomplishment. Its signatories are often more divided among themselves than they are in agreement. But the accord has a moral power unique in Central American peace attempts. Deprived so far of accomplishing its goals of promoting reconciliation and democracy, given U.S. support, it could yet live up to its significant promise.

The Bush administration must develop a strategy of bipartisan cooperation with the U.S. Congress. The nomination of Bernard W. Aronson, formerly a director of policy for the Democratic National Committee, to replace Elliott Abrams, while mystifying in many respects—he has little familiarity with the region and does not speak Spanish—may be a signal to the Democratic-controlled Congress of a desire to mend some fences. It is hard to imagine any choice that would not be an improvement on Mr. Abrams.

The administration must develop a Central American strategy premised on mutual avenues of cooperation with all six countries of the region. No further examples of unilateral adventurism from Washington, no more solitary policy initiatives of a coercive nature. The most recent attempt, to oust General Noriega of Panama, has proved a blunder of near comic proportions. While the economy of the country is devastated, Noriega holds fast by fanning traditional nationalistic and anti-American sentiments, not only in Panama but in the entire Caribbean basin. Initial consultation with other leaders in the region might have produced a significantly different resolution of the problem. Now, even when Noriega inevitably

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departs, the reconstruction of the Panamanian economy will be a long and painful one, sure to prolong resentment of the U.S.

The U.S. must begin to see Central America for what it is—not the southern front of Moscow's attempt to penetrate our borders, but the lively home of neighbors severely tried by internal difficulties of a deep-seated social, political, and economic nature. The war to be won there is not a low-intensity struggle meant to bleed all opposition into submission, but a high-priority strategy to create more equitable societies through democratic principles. In exchange for cooperation in other areas, the U.S. should pressure Moscow and Cuba to leave Central America to work out its own future. The Arias Accords would be given a further, significant lift.

Finally, the Bush administration must read the lips of the American people: "No war in Central America." With its clandestine Iran-*contra* operation, the Reagan administration abused the American public's confidence and put to rest whatever trust the people once had for the Reagan-Abrams scheme. Relieved of that burden, the Bush administration can start anew to develop a reasonable Central American policy. The people of the United States and Honduras, El Salvador, Nicaragua, Guatemala, Costa Rica, and Panama deserve a policy that guarantees self-determination for Central America, respect for human rights, an effort to control drug lords, and the means for the region to begin a sustained form of economic development and cooperation. We are just beginning to appreciate that our future is linked with that of our neighbors to the south. The sooner we extend a hand in that direction, the better.

IT TAKES TWO

All children deserve to be supported by two parents whether those parents are divorced, separated, or have never been married. For too long, it has been assumed that the non-custodial or absent parent could not, or could not be made to, provide support. Newly passed federal legislation will test that assumption by requiring mothers and fathers to contribute fairly and adequately to their children's financial well-being. Some 13 million children live below the federal poverty line; enforcement of the improved child support laws could eventually lift many out of poverty.

Passed as part of last September's welfare reform, the new law will be phased in over the next decade and administered by the states. It will help many of the 1 million children affected each year by divorce and will relieve at least some of the money worries faced by the parent with custody (the mother in 95 percent of cases). Studies have shown that after divorce, fathers' incomes rise by a wide margin, while mothers with custody face a significant decline in income.

Fewer than one-third of custodial parents are ever awarded child support. White, educated, employed women who have been divorced are more likely to get awards than minority women or those who are separated or have never married. Payment levels vary widely across the nation, based on the discretion of the presiding judge in each case. Often, child-support payments are never collected or fall off within six months (the national average). Initial awards are seldom adjusted either to later changes in a parent's salary or to the increases in the custodial parent's child-care costs.

Following a successful Wisconsin program, the new federal child-support law mandates automatic deductions from the wages of non-custodial parents, as soon as awards are determined by the court. The law applies to divorced, separated, and never-married parents. Welfare families will have this provision implemented by 1990; all families, by 1994. Only by the agreement of both parents can a family opt out of the withholding plan. Under the new law, states must establish paternity and obtain the Social Security numbers of both parents at a child's birth, a move that will expedite future collection of support, if the need arises.

Furthermore, discretion has been taken from judges in determining the amount of child support; states must use standard formulas based upon percentages of a parent's income. Every three years, states are required to review and adjust child-support awards for welfare families—based upon changes in income and cost of living. Families not on welfare may request this review as well. Studies have shown that the earnings of young, unwed, unemployed, absentee fathers tend to increase as they age, so that such fathers are better able to contribute to their children's financial welfare over time.

Divorce, separation, and growing up in a single-parent family often deprive children of a needed measure of security and love. They should not, in addition, be deprived of their basic material needs.

TAPPING THE WELLS

Responding to President Bush's plan to lower the deficit without benefit of increased taxes, a member of the House Budget Committee commented recently that the plan sounds like "déjà voodoo [economics]" all over again. Even those who have done well up to this point reading the new president's lips—Minority Leader Robert Michel comes to mind—even they recognize that not all talk of new taxes ought to be banished from the land. We feel one tax in particular deserves a serious hearing. It is a tax on gasoline. It should be a significant tax, gradually implemented, and with a dual purpose: to raise both revenue and consciousness.

The present federal tax on gasoline is 9.1 cents per gallon. In real dollars, according to Nobel economist Kenneth Arrow of Stanford, gasoline taxes are currently lower then they were fifteen years ago. Even when state gasoline taxes are added,

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bringing the total to about 25 cents per gallon, U.S. drivers shell out less than one-seventh of what motorists in Europe and Japan pay in taxes at the pump. Yet the economies of the latter have not been unduly hampered by gasoline costs of more than $2 a gallon. Most experts calculate that for every 1-cent-per-gallon federal tax increase the U.S. Treasury would net $1 billion. The Congressional Budget Office (CBO) estimates that a 12-cent increase, all other factors taken into account, would net $59.9 billion over five years. Could this be the yellow brick road?

Opponents argue no. They claim the tax would be inflationary; would hamper the growth of the economy, depressing tax revenues from other sources; and, as a regressive tax, would fall harder on the poor than the middle and upper classes.

Responding, proponents claim that a 10-cent increase each year over the next ten years would create significant revenues and allow the economy to adjust gradually without unleashing inflation. They point out that greater mileage efficiency would be stimulated, which translates into a more efficient economy in general and increased government revenues. As for the regressive nature of the tax, proponents say *that* argument has been inflated. Jessica Tuchman Mathews of the World Resources Institute, for example, points out that car-use rises steeply *with income*, so the tax would not fall disproportionally on most drivers. For those on whom it would—families with household incomes under $10,000—she and others have called for an exemption. The CBO reports that "for all but the highest and lowest income classes, the tax on gasoline would have the same effect on all income classes."

But more important than even the revenues generated by the tax would be a forward-looking, salutary change it might help to engineer in the national consciousness about the nature and use of energy. Such an awareness began to emerge with the oil crises of the Nixon and Carter years but fell back into somnolence in the Reagan decade. Instead of curbing our appetite for imported oil, we have increased it. (By 1991 we will import 9 million barrels a day, surpassing our peak in the 1970s.) Instead of sticking to a schedule of higher quotas each year for fuel- efficient cars, we have come to a standstill. (Last year, the Department of Transportation even lowered the requirements, and this year the Environmental Protection Agency lists forty-five vehicles as gas guzzlers, compared to twenty-five for 1988.) And instead of diminishing our reliance on individual automobiles (average occupancy, 1.17 per car)—which would significantly curtail the pollution produced by 132 million of them—or promoting mass transit, we have pedaled backward on these scores. As a result of such missed opportunities, we have insured our need to drink from others' wells and further weakened our balance of payments. James R. Schlesinger has put it bluntly. We need a strong conservationist energy policy simply for reasons of national security.

An easily administered gasoline tax, gradually increased over the next decade, will not only raise needed revenue. It will challenge our attitudes and help foster a critical change in behavior.

CONFLICT IN CONTEXT

History is fragile; so we announced in the last issue. This time we proclaim that history is, or can be, supportively strong. History gives context; without context, ideas go limp, understanding flounders, and good movements lose their bearings.

The thought comes to mind out of reflections on a happily coincidental flowing together of documents and articles in this and the two previous issues of *Commonweal*: "The Cologne Declaration" of European theologians (see p. 102); Philip S. Kaufman's discussion of democracy in the Catholic church (p.110); Bernard Häring's essay (February 10, p. 69), and John A. Coleman's "Who Are the Catholic 'Fundamentalists'?" (January 27, p. 42).

Obviously, we think each of these is worth reading. We also believe that, read together, they both reinforce and qualify one another. For Catholics who don't readily recall how many struggles and scandals the church has survived, the two that focus on the present—the theologians' statement and the Häring essay—sound pretty fierce.

And, indeed, Bernard Häring, a gentle man, does get tough about the use by curial officials of secret disciplinary techniques (e.g., the gathering of anonymous denunciations of theologians and bishops), and about Pope John Paul II's apparent endorsement not only of these tactics but of the simplistic theology on which they are based. The Cologne statement is still harsher, so that a spokesman for the German bishops may have had a point (a small one, in our view) when he accused the drafters of addressing issues "in the style of a poster."

Enter John Coleman and Philip Kaufman, bearing context. The present pope is not the first to inflate the power of his office, to foster heresy-hunting, or to identify Catholic fidelity with deference to his own views. Knowing that isn't exactly heartening. It doesn't mean that pretty soon everything is going to come out all right; sometimes it takes centuries for the church to get out of the snares it sets for itself—or for *us* to rid ourselves of the webs we weave for our Catholic selves.

But the long view of history does remind us that there are other traditions in the church besides those that promote autocracy. Some of them are itemized in Philip Kaufman's review of the story. They are reflected also—somewhat bewilderingly—in some of the most important pronouncements of John Paul II: on racism, on work and workers, on the superpowers' disregard for the rights of poor peoples. They are very much in evidence in the very logic and spirit of the Häring proposal to enlist the whole church in assaying the weight and centrality of papal teaching on birth control. One could hope now for a response in kind from a bishop or two, or a group of bishops, or some of the national hierarchies; as many bishops came to know during Vatican II, Bernard Häring has earned that kind of respect. Moreover, the "earthquake" he describes is still producing destructive tremors. Failing such response, the rest of us will have to fill in.

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THE COLOGNE DECLARATION

AUTHORITY OUT OF BOUNDS

INTRODUCTION "The Cologne Declaration" was signed on the Epiphany by 163 German-speaking theologians from Germany, Austria, the Netherlands, and Switzerland. The three specific problems discussed in the document have appeared in the church throughout the world. But the German-speaking churches, in particular, have been disturbed by episcopal appointments made in opposition to local needs and traditional practices; the appointment of Cardinal Joachim Meisner in Cologne came after a protracted debate between Rome and the Cologne Cathedral Chapter. Similar debates have occurred in appointments to the Sees of Chur (Switzerland), Vienna, and Salzburg and further disagreement is expected over coming appointments elsewhere in Austria.

Similarly, in applying for positions on the Catholic faculties of state universities, theologians regarded as unreliable on the birth control question have been subjected to particular scrutiny and then rejection on the basis of Roman opposition; most have been dogmatic and systematic theologians.

The increasing inflexibility on the birth control discussion was reported and analyzed by Bernard Häring, who is also a signer of "The Cologne Declaration" (see *Commonweal*, February 10, 1989). Among the 162 other signers are Professors Alfons Auer, Franz Böckle, Heinrich Fries, Herbert Haag, Hans Küng, Johann Baptist Metz, and Eduard Schillebeeckx.

Commonweal's text of the declaration was translated with the assistance of Karen Trub, William Dych, S.J., and Leonard Swidler. THE EDITORS

A number of events in our Catholic church compel us to make the following public declaration.

We are deeply distressed by difficulties in three specific areas:

1. The Roman curia is aggressively pursuing a strategy of unilaterally filling vacant episcopal sees around the world, without regard for the recommendations of the local church and without respect for their established rights.

2. All over the world, many qualified theologians, men and women, are being denied ecclesiastical permission to teach. This represents a serious and dangerous interference in the free exercise of scholarly research and teaching, and in the pursuit of theological understanding through dialogue, principles which Vatican II repeatedly emphasized. The power to withhold official permission to teach is being abused; it has become an instrument to discipline theologians.

3. There have been theologically questionable attempts to assert the pope's doctrinal and jurisdictional authority in an exaggerated form.

What we observe seems to indicate the following changes in the post-conciliar church: a creeping extension of exaggerated hierarchical control; progressive undermining of the local churches, suppression of theological debate, and reduction in the role of the laity in the church; antagonism from above which heightens conflict in the church through means of disciplinary measures.

Because of our responsibility for the Christian faith; as an exercise of our ministry as teachers of theology; for the sake of our own consciences; and in solidarity with all Christian women and men who are scandalized by the latest developments in our church, or even despair of it, we cannot remain silent but consider this declaration a necessity.

1. In view of Rome's recent episcopal appointments around the world, but especially in Austria, Switzerland, and here in Cologne, we declare:

Local churches have traditional, even codified canonical rights, to share in decision making. Until today these rights have been part of the church's history; they are part of its multilayered life.

The disciplining of local churches by episcopal appointments or by other measures (as in Latin America, Sri Lanka, Spain, the Netherlands, Austria, Switzerland, and here in Cologne) are often based on false analyses and suspicions. Such disciplinary actions rob the local churches of their autonomy. One of the critical achievements of Vatican II—the opening of the Catholic church to collegiality between pope and bishops—is being stifled by recent Roman efforts at centralization.

The autocratic methods manifest in recent episcopal appointments stand in contradiction to the gospel spirit of brotherhood, to the positive, postconciliar experiences of freedom, and to the collegiality of the bishops.

This tendency hinders the ecumenical movement in essential ways.

With regard to "The Cologne Affair," we consider it scandalous that the election procedure was altered while the process was already underway. The sense of procedural justice is palpably offended.

Respect for and the dignity of the papal office require that

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power be exercised in a judicious manner in dealing with established institutions. The selection of candidates for the office of bishop should give proportionate recognition to all levels of the church; the appointment process is not a private decision of the pope.

In today's world, the role of the nuncios becomes more and more questionable. While the means for sending news and for conducting personal consultations have been improved, the nunciature increasingly falls under the odium of being an intelligence agency, which through its one-sided selection of information is often responsible for creating the very deviations it is supposed to be looking for.

The kind of obedience toward the pope that recently and increasingly often has been demanded of bishops and cardinals, and affirmed by them, appears to be blind obedience. Ecclesial obedience in service of the gospel requires a readiness for constructive opposition (see the Code of Canon Law, 212, 3). We call on the bishops to remember the example of Paul, who remained in communion with Peter, even though on the question of the mission to the Gentiles, he "opposed him to his face" (Galatians 2:11).

2. With respect to the problem of appointing theology professors and granting ecclesiastical permission to teach, we declare:

The authority and responsibility of the local bishop to grant or to withhold ecclesiastical permission to teach must be preserved; this has a theological basis and to some extent is also guaranteed by concordats. The bishops are not executive agents of the pope. The current practice of violating the principle of subsidiarity in the church in instances where the local bishop clearly has authority in questions of faith and morals is indefensible. Roman intervention in granting or denying permission to teach without consulting the local church or even acting against the explicit judgment of the local bishop risks undermining established and approved areas of juridical procedure.

Objections against authorizing someone to teach, or final decisions in these matters, must rest on legitimate reasons and be substantiated in accordance with recognized academic norms. Arbitrariness in this area puts the continued existence of Catholic theological faculties at state universities at risk.

The teachings of the church are not all equally certain or of equal theological weight; there are degrees of theological certitude and a "hierarchy of truths." We object to the disregard shown this principle in the current practice of granting or denying ecclesiastical permission to teach. Individual matters of detail in ethical and dogmatic propositions cannot be arbitrarily exaggerated and raised to the point that they become the means of testing or questioning the integrity of a person's faith, while at the same time ethical positions directly connected to the practice of the faith (such as the rejection of torture, racial segregation, or exploitation) do not seem to hold the same theological importance for the integrity of the faith.

The right of universities or faculties to add to their numbers by selecting professors may not be completely eroded by arbitrary procedures in granting or denying ecclesiastical permission to teach. If under such pressures, the selection of university theology professors, female and male, takes place on the basis of criteria having nothing to do with the science of theology itself, then theology will suffer a loss of respect in the universities.

3. As for the attempt to assert the teaching authority of the pope in an unacceptable way, we declare:

Recently in addresses to theologians and bishops, and without considering the differing degrees of certitude and the unequal weight of church statements, the pope has connected the teaching on birth control with fundamental truths of the faith, such as the holiness of God and salvation through Jesus Christ. As a result, critics of the papal teaching on birth control find themselves condemned for "attacking fundamental cornerstones of Christian doctrine." Indeed, their very appeal to the dignity of an erroneous conscience is condemned. And they are accused of making "the cross of Christ of no avail," of "destroying the mystery of God," and of denying the dignity of the human person. The pope draws upon the concepts of "fundamental truth" and "divine revelation" in order to defend a highly particular teaching, which can be grounded neither in Holy Scripture nor in the traditions of the church (see his addresses of October 15 and November 12, 1988).

The interconnectedness of truths which the pope maintains does not mean that these truths are all of the same rank or the same importance. This is what Vatican II teaches: "In comparing doctrines with one another it should not be forgotten that there is an order of precedence or 'hierarchy' of truths within Catholic doctrine, according to the different ways they are connected with the foundation of Christian faith" (Decree on Ecumenism, 11). Similarly, the various degrees of certitude that may be attributed to theological statements and the limits of theological knowledge in medical and anthropological questions must be taken into account.

Even the papal teaching office has acknowledged the importance of theology itself for examining the arguments for theological statements and norms. This value may not be undermined by forbidding people to think and speak. Scientific investigation requires argumentation and communication. Conscience is not an executive assistant to the papal teaching office, as it might appear in the aforementioned addresses. It is much more the case that in arriving at its interpretation of the truth, the teaching office is dependent on the conscience of the faithful. To simply gloss over the tension between teaching and conscience leads in the end to a devaluation of conscience.

Many people in the church are convinced that the norms for birth control in the encyclical *Humanae vitae* (1968) represent a moral position that does not replace the responsibility of the faithful to their own conscience. Bishops, among others the German bishops in their "Königstein Declaration" (1968), and moral theologians have considered this interpretation of many Christian women and men correct because they are convinced that the dignity of the conscience consists not only in obedience but also and precisely in responsibility. A pope

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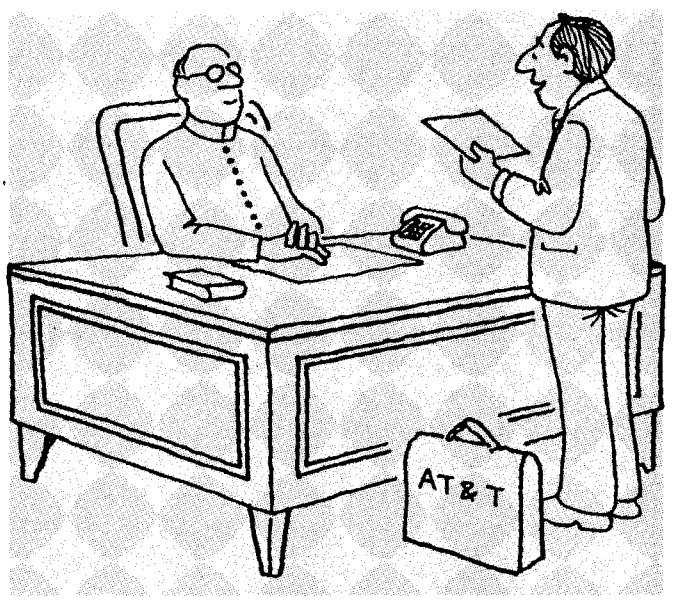
who refers so often to the responsibility of Christian women and men in secular activities should not systematically disregard it in this critical area. Moreover, we regret the intense fixation of the papal teaching office on this single problem area.

The church stands in the service of Jesus Christ. It must resist the constant temptation to misuse his gospel message about God's justice, mercy, and fidelity for the sake of its own power by resorting to questionable ways of governing. The church was understood by the council as the pilgrim people of God and the living community of the faithful (*communio*). The church is not a city under siege that expands its fortifications and rigidly defends itself against enemies within and without.

On the basis of our common witness, we share these various concerns about the church with the pastors of the church. To come to the defense of poor churches, to lead rich churches out of their entanglements, and to promote the unity of the church, these are goals that we understand and which we support.

Theologians, who stand in the service of the church, nevertheless also have the obligation to voice public criticism if church authority uses its power falsely so that it ends in contradicting its own goals, endangers the path to church unity, and retreats from the openness of Vatican II.

The pope claims to exercise the office of unity. In cases of conflict, therefore, it is part of his office to bring people together. In this, he went to excessive lengths with regard to Marcel Lefebvre and his followers, in spite of Lefebvre's fundamental challenge to the teaching magisterium. It is not part of the papal office to sharpen conflicts of a secondary nature without any attempt at dialogue, to resolve such conflicts unilaterally and by official decree, and to turn them into grounds for exclusion. If the pope does what does not belong to his office, he cannot demand obedience in the name of Catholicism. Then he must expect contradiction. □



"You're in luck, Cardinal — 1-800 VATICAN is still available."

REPORT FROM THE UN

CHILDREN IN COMBAT
WHEN ARE THEY TOO YOUNG?

When is a child too young to fight? The question does not concern the onset of sibling rivalry. It has to do with deciding when young people should be allowed to participate officially in their country's wars. (The question has special poignancy for me arising from my work in Germany in 1947. I remember the young men who told me that as fifteen-year-olds they had been swept into combat during the nightmare end of World War II.)

In 1977, the first protocol to the Geneva Conventions ruled out combat for children below the age of fifteen. Since 1979, member states, as well as advocacy groups for the welfare of children, have been weighing the matter further as the UN has sought to draft a general treaty on the rights of children.

In 1986, negotiators agreed to a text which stated that "no child" should be sent into combat. But a crucial distinction remained to be made: defining at what age a young person is no longer considered a child in international perception and law, the point before which he or she could not legitimately participate in military actions. "Child" was subsequently defined as a person who had not yet reached the age of eighteen, *or* someone who had not yet reached the age of majority (many countries granting majority between fifteen and eighteen). The definition's standard provided room for ongoing confusion.

All of this came to a head during a UN session on the treaty last December at Geneva. The United States declared it would fight the general proposal of a minimum age for combat of eighteen. The U.S. delegate explained that with parental consent, youngsters of seventeen can enlist in the U.S. armed forces. "We are not involved in an armed conflict," he said, "but we may be one day, and it would be very hard for the armed forces to guarantee that seventeen-year-olds would be separated out from conflict." The U.S. also balked at a clause that would have required countries to "endeavor to prevent" children between fifteen and eighteen from being sent into war action, and called instead for countries merely to "take all feasible measures" to keep children under fifteen from combat duty. The Soviet Union sided with the United States in the dispute, and the conference adjourned at an impasse. Negotiations resume this month at the UN Human Rights Commission in Geneva.

A number of international nongovernmental organizations have registered their concern over the eventual outcome of the negotiations on child soldiers. One such group, the Friends World Committee for Consultation, has published a paper documenting the use of child soldiers in many parts of the world. Entitled "Children's Military Training and Service,"

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the paper estimates that there are as many as 200,000 children serving in the armed forces and various guerrilla units around the world. Children were used extensively in the Iran-Iraq war. In Nicaragua, the report states, *contra* groups included boys aged twelve to seventeen, while the Nicaraguan government at one time forcibly recruited 3,000 young people. In El Salvador, where the age of conscription is eighteen, army recruiters have rounded up younger boys, while the guerrilla forces of the FMLN have forcibly recruited hundreds of peasant boys.

When pressed further on the U.S. position on child soldiers following the Geneva session last December, a member of the U.S. delegation stated that the matter should be taken up "elsewhere." Just where this "elsewhere" is was not explicated, nor was it specified which organ of the UN other than the Commission on Human Rights (which in 1987 had already passed a resolution affirming conscientious objection to military service as a human right) should deal with the question.

Debate before the Human Rights Commission in Geneva on the Convention of the Rights of the Child will continue through March. Contrary to the present State Department approach, the Convention under discussion is the most logical place to decide the question of child soldiers. Many international nongovernmental organizations, including Pax Christi and the International Catholic Child Bureau, are likely to submit statements, and, on occasion, address the Commission. In the meantime, an important question for Americans to ask their State Department is what "elsewhere" is more suitable for taking up the question of child soldiers than the present Convention. Pax Christi-USA has posed this question in a statement addressed to the State Department and the Armed Services Committees of the Congress. The statement urged that the U.S. representatives to the Human Rights Commission vote to protect children under eighteen from being sent into combat. It points out that this position would necessitate a change in the Selective Service Law.

The aim of the Geneva meeting is to have the Convention of the Rights of the Child ready to present to the UN General Assembly for ratification in the fall of 1989. Should the world's children be made to wait longer? It would be better to delay ratification, however, than to end up with a flawed document.

EILEEN EGAN

Eileen Egan is a member of the National Council of Pax Christi-USA and the author of Such a Vision of the Street: Mother Teresa *(Doubleday).*

REPORT FROM PHILIPPINES

REINVENTING THE BRAKE

FAMILY PLANNING & THE CHURCH

A Filipina friend, who earns about $30 a month as a domestic helper, explained why she has five children. "I know it's wrong, but we kept having children until we had a girl. I wanted a girl." Her two oldest boys are working as laborers for a local farmer instead of going to grade school, since the few citrus trees their father has planted won't bear fruit for another year or two.

It's a typical story in the Philippines, where poverty and lack of opportunity have become embedded in the national consciousness. Nor does the future look particularly bright. While the gross national product has grown steadily since 1987, real wages for the vast majority of Filipinos have stood still or slid back. In 1988 the Philippines, a fertile agricultural country whose population depends on rice for survival, was forced to import rice from California.

At first glance the problem seems fairly straightforward: too many people and not enough money or resources to support them. According to most estimates, the population is expanding at over 2.5 percent per year, and no matter how fast the engines of development turn it seems there simply won't be enough to go round unless the country can slow its population growth.

Werner Fornos, president of The Population Institute, a Washington-based population monitoring group, has called for an immediate end to U.S. aid to the Philippines until Manila demonstrates that it's serious about bringing the birthrate down. Philippine Senator Leticia Shahani, who has led the fight to bring the population issue to the attention of the nation's lawmakers, says flatly, "We are in a crisis." The numbers seem to bear her out.

While one hears a range of estimates, the government officially puts the population at 58.7 million for 1988, up from 48.3 million in 1980 and 27 million in 1960. Government statisticians see the country gaining another 10 million by 1995, and they look for the population to hit 100 million by the early 2020s. The Population Institute's figures are even bleaker: they expect the population to double to 120 million, before 2015.

The Philippine government has not completely ignored the problem. At the urging of international aid organizations, Ferdinand Marcos established the Population Commission, or POPCOM, in 1970. At that time, the population growth rate was about 3.5 percent, threatening to wipe out the loan-driven development of Marcos's "New Society." When Corazon Aquino took over in 1986, the population program had been tainted by corruption, but the growth rate had nonetheless been

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reduced by as much as one-third.

Since becoming president, Aquino has been reluctant to speak out on the population issue, giving many the impression that she doesn't take the problem seriously. In fact the apparent aimlessness of the administration's population policy during 1987 led the U.S. Agency for International Development to delay the disbursement of millions of dollars in aid for government-supported family planning programs. Recently, POPCOM released a much-delayed, five-year plan emphasizing community education and a "cafeteria approach" to family planning methods. There is still much disagreement within the government on how aggressive a program is desirable.

Roughly 85 percent of Filipinos are Catholic, and more than any other player, the church has taken the heat for what many feel has become a half-hearted population policy. While no one questions Aquino's spiritual commitment to the church and its teachings, some critics point to the political debt she owes church leaders for their role in the popular uprising that toppled Marcos, and claim that the church has taken advantage of that to gut the population program. Strong lobbying at the 1986 Constitutional Convention by the church-supported group, Pro-Life, not only resulted in the insertion of an anti-abortion provision, but also in the elimination of a provision in Marcos's 1973 martial law constitution which gave the state the responsibility "to achieve and maintain population levels conducive to [the] general welfare."

Whether or not the government has systematically sought to placate religious leaders on the population issue, the spiritual and doctrinal issues that were de-emphasized under Marcos's program have come back into the foreground under Aquino. Secretary of Social Welfare and Development Mita Pardo de Tavera, who oversees the activities of POPCOM, has decried the previous government's insensitivity to the couple's right to exercise its "religious and spiritual values" without government interference. (There is, not insignificantly, a strong hint of nationalism in her rejection of the doomsday predictions of foreign funding agencies.) Pardo de Tavera, like church leaders, feels that the population problem is less a problem of "general welfare," as it was defined under Marcos, than a quality-of-life issue for individual families.

Church leaders clearly prefer the new approach. After taking part in the earliest population discussions with Marcos in the late sixties, the church broke completely with the government program, which it considered to be too fixated on targets. Under Aquino, church leaders and organizations are again taking part, if less than enthusiastically, largely as the authority on natural family planning techniques. While the church has maintained that it cannot endorse POPCOM's new five-year plan unless its overall goals—and especially its mention of population targets—are redrawn, it certainly has helped shape the population policy debate among politicians and bureaucrats alike.

"The church looks at population as a problem, but it doesn't look at it merely as a problem of numbers," explains Msgr. Cesar Pagaluyan of the Archdiocese of Manila. Instead, he says, "we see it as a problem of justice." He believes that number-crunching technocrats have overblown the issue. "Twenty years ago they were saying that in a few years' time the resources of the country might not be enough for us, but we're still happily standing on our feet."

John J. Carroll, S.J., a sociologist with the Manila-based Institute on Church and Social Issues, isn't quite so sanguine. He agrees, however, that the problem is not as simple as some planners would make it appear. "I'm convinced that population is one factor in the development equation," he says, "but it's not the only factor, and it may not be a major factor."

According to Carroll, the biggest obstacle to development in the Philippines has been the enormously inequitable distribution of wealth, power, and resources. "It's easy for congressmen and congresswomen to ask the poor to reduce their family size, rather than facing up to the question of land reform—which was a test they flunked terribly—and distribution of income."

At the same time, Carroll is concerned that some in the church may be misrepresenting the teachings on population and family life found in *Humanae vitae, Populorum progressio* and *Familiaris consortio*. "Those who put total emphasis on some sort of absolute right of families to have as many children as they want regardless of the social consequences," he says, "are simply not talking within the context of the church's teaching."

Msgr. Pagaluyan, Carroll, and representatives of POPCOM all agree that there's a serious need for education at the grassroots level to encourage Filipinos to make informed decisions about how they will live their lives. They all acknowledge, too, that as things stand, the moral teachings of the church have little to do with which methods of family planning couples ultimately choose. While the church has begun to tout "responsible parenthood" as a way to strengthen marriages, for those few Filipinos who make an active choice to limit the number of children they will have, family size is almost always an economic, not a spiritual issue.

The problem of reconciling population with resources is clearly a difficult one, and it's tempting simply to hope that things will work out for the best as the Philippines develop. But the pace of population growth—and its effects—make this a self-defeating solution.

In the Philippines, as elsewhere in the third world, there is little reason for individuals to believe that their actions can have any impact on their own destinies, let alone on the welfare of their communities. The church, which has too often bolstered a "culture of poverty" by encouraging fatalism and overemphasizing the individual's private relationship with God, must begin a concerted effort to help people understand their day-to-day responsibilities to their families, their communities, their natural environment, and the larger human family.

At the same time the government, which has traditionally served as the exclusive province and plaything of the rich and powerful, must establish itself as a legitimate institution not just for the delivery of services, but also for the expression of people's collective aspirations.

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That, obviously, is no small order. Yet whether one sees the problem of too-rapid growth as one of social justice, economic development, environmental stewardship, or family welfare, surely the success of any population policy will rest finally on people's faith in their ability to manage their lives. That's where the government will need to depend on the active participation of the church, which is not only the nation's most influential moral arbiter, but also its broadest-based and best-organized social institution.

There is no shortage of ways in which the church can choose to respond. The key is that it do so with a sense of urgency. If the church prefers to frame the population issue in the context of the individual and the family, the least it can do is help people understand that not only do they have the right to make decisions about their lives, but also that those decisions can affect the world around them. Then, of course, it's up to government to see that this is true.

JON MILLER

Jon Miller is a freelance writer and a correspondent for Pacifica Radio.

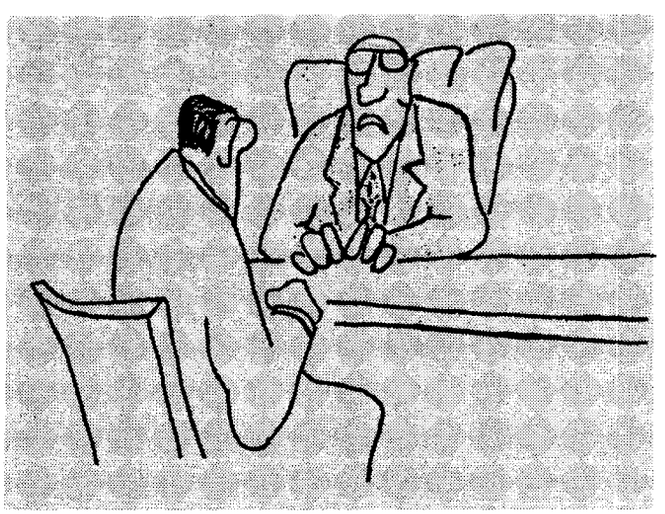
INDUSTRIAL WARFARE

A DIRTY BUSINESS

NEW TACTICS IN UNION-BUSTING

If confession is good for the soul, Marty Levitt has become a virtuous man. A self-described "reformed union-buster," Levitt offers first-hand insights into the shadowy world of management consultants who earn an estimated $500 million a year by persuading companies to engage in costly warfare against unions.

While companies have always sought professional advice on labor relations, a new industry has emerged of attorneys, psychologists, sociologists, public relations specialists, and management consultants who promote themselves as experts at combating unions.



"Remember, Scruffman, in labor negotiations, sincerity is the most important thing to fake."

With companies hiring consultants in an estimated two-thirds of all organizing campaigns, the number of consultants has grown to more than 1,500, according to a 1983 study by the AFL-CIO. The range includes large full-service, management-consulting firms, specialized law firms, and individual operators like Levitt, who plied his trade from his Ohio home, earning an estimated $200,000 a year, commanding fees of $1,200 a day.

Anti-union consultants have been hired by publishers, bankers, retailers, textile manufacturers, local governments, and schoolboards. And, until recent changes in reimbursement policy, hospitals and nursing homes were billing Medicare and Medicaid for "labor relations services" to pay consultant fees.

Behind the growth of the consulting industry is the desire of an increasing number of businesses to operate in what the National Association of Manufacturers approvingly calls "a union-free environment." As the House Education and Labor Committee reported: "Management's determination to resist unions created a demand for specialists to direct and orchestrate their campaigns to defeat unionization drives. To meet the demand the anti-union consulting industry sprang into existence."

Unlike old-time company goons who stood outside plant gates and hit union organizers on the head with blackjacks, today's consultants stand on the sidelines, coaching top management, training supervisors, and ghostwriting letters to employees from the company president. Thus, when supervisors start harassing union supporters and haranguing other employees, workers often don't know whom to blame for the newly hostile tone in their workplace. As Nancy Mills, an organizer for the Service Employees International Union, told the House Labor Management Subcommittee: "The average worker is unaware of their [the consultants'] existence. It is very easy to associate the transformation of the hospital into a nightmare with the existence of a union drive because, before the union drive happened, things may not have been great, but there wasn't the incredible pressure....And, of course, if the union somehow does win, this hell might become permanent."

Not only are consultants immune to scrutiny by employees, and frequently stockholders as well, but they are virtually exempt from the regulations imposed by federal labor laws. Abuses by unions and employers are prohibited by the Landrum-Griffin Act and other labor legislation, yet these laws make little mention of consultants.

Since their role is to advise management, consultants let others do the dirty work. As the House Labor Management Subcommittee noted, consultants can "function at the fringes of the law, where one remains technically within the letter of the law while violating its spirit."

Acting on the advice of consultants, employers are increasingly doing what the law forbids: making specific threats or promises to individual employees; firing workers merely

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because they support a union; and refusing to bargain in good faith with existing unions. From 1973 through 1984—a period that saw the growth of anti-union consulting—the number of unfair labor practice notices issued by the National Labor Relations Board against employers increased by 300 percent.

"Reformed union-buster" Levitt, who started out as a consultant almost two decades ago, recently explained to me how he would dictate company policies during campaigns, leaving a legacy of tension and broken promises when the campaign was over. Levitt now admits he preyed on management's "terror of the prospect that their people, their grunts, would have an honest opportunity to have a collective voice in what goes on in the business, that they might lose control to some degree." Having convinced the managers that "the union drive was their fault," he found that, "once they started feeling that guilt, it was easy...to take control of that organization which is so essential for an anti-union campaign."

Levitt's method was "the manipulation of supervisors ...[with the] entire management group forced to say and do things whether they believed in it or not." With supervisors putting rumors on the word-of-mouth network that exists in any workplace, the "grapevine" served as a lethal weapon. While Levitt disclaims personal responsibility for the crudest tactics, he remembers a hospital in Louisville where the administrator got the word out that three leading union supporters were lesbians (they weren't). And there was a factory in Columbus where management played upon racial tensions among white, black, and Asian workers. Both workplaces, Levitt recalls, were bitterly divided long after the campaigns, and productivity suffered.

Levitt would advise employers to give the appearance of addressing legitimate employee gripes. Company presidents were counseled to tell employees: "Sure, we made some mistakes, but we deserve a chance. At least, we're here with you. The unions are outsiders." But, in Levitt's experience, once unions were defeated, "eighty percent of the companies would just try to find a way to get rid of the union activists, instead of making the company a better place to work." In fact, he can remember only one employer, an Ohio hospital owned by a religious order, that made a sincere effort to institute the improvements he recommended to convince employees they didn't need a union: an "employee roundtable" to allow workers to present their grievances to management, new personnel policies, and a more sensitive style of supervision.

Now, Levitt proclaims himself a believer in labor-management cooperation as the formula for fairer and more productive workplaces. And he recommends a new round of congressional hearings on what he calls the "dirty business" of anti-union consulting (in fact, that's the title of a book he's writing), with the goal of amending federal labor law to regulate the consultants' activities.

The last major effort at labor law reform came almost ten years ago under more auspicious circumstances, with Carter in the White House and sympathetic Democratic majorities in both houses of Congress. Nonetheless, it was blocked by business lobbyists and Senate Republicans who portrayed it as special-interest legislation. A decade later, the newly elected Bush administration, and even the Democrats on Capitol Hill, have more urgent priorities than helping a beleaguered labor movement. But perhaps they could be interested in protecting American businesses from shelling out millions of dollars for the privilege of inflaming their own workplaces.

DAVID KUSNET

David Kusnet directed publicity in organizing campaigns for the American Federation of State, County and Municipal Employees (AFSCME). He has been a speechwriter for Michael Dukakis, Walter Mondale, and Jerry Wurf, the late president of AFSCME.

OF SEVERAL MINDS John Garvey

GOD & JOY UNEARNED

MOMENTS OF PURPOSELESS DELIGHT

It is hard sometimes, maybe hard anytime, to think in terms of human beings made in God's image. This past few weeks I read once more of Ted Bundy's many murders, and stories of people cheering Ted Bundy's death, and accounts of a South African farmer who, with the help of a friend, spent two days beating a black laborer to death for running over his dogs. (He was given the lightest possible sentence by a South African judge.) If God's image is in Bundy, or those who feel joy on the occasion of his execution, or in the man who beats another to death, or the judge who spares him, it is buried deep. Those terrible deeds and reactions to deeds must be seen next to the lives of people who are loving and generous, whose hearts are not hard. It is also essential to know that we are not basically different from any of them, from the murderers or the compassionate ones.

Since childhood many of us, from many traditions, have been taught that God's image is in us. It has been presented very abstractly most of the time: it has to do with our will, our freedom, our ability—despite everything else wrong with us—to choose the right way. I love what those abstractions point to, then look at my own heart and despair. Even the good things seem so inextricably entangled with the bad, right judgment bound up with the passion of anger, real compassion with emotional self-interest. Our freedom to choose good is not essentially different from our freedom to choose evil; Ted Bundy and Francis of

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Assisi share a freedom and a nature that a culture which denies both true evil and the possibility of sanctity cannot fathom. Cultures which admit both don't do much better: Torquemada and Cromwell knew they were doing God's will as they murdered. Cynicism about Christian self-knowledge is not unreasonable.

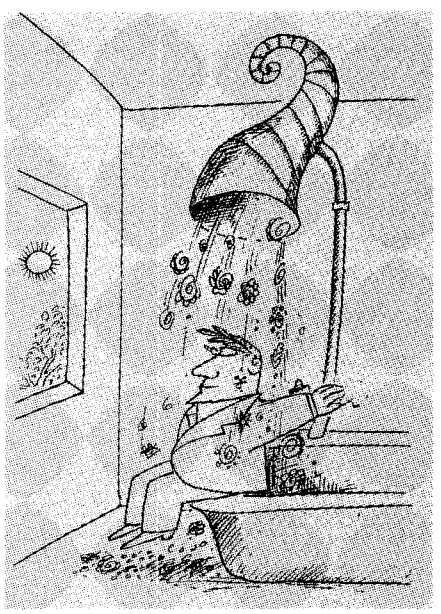
The image of God in us has been presented too much, I think, as something involving qualities we associate with the intellect and will and self-knowledge. Deliberate choosing is an important part of the Christian life, but concentrating on intelligence and choice too exclusively puts too much emphasis on our end of that life, the one we have more or less in our charge and are therefore more prone to look at.

Something else also matters to our relationship to God, something we don't have much choice about and, for that reason, we may encounter it with more discomfort. That is the element of unearned joy, which reflects an aspect of our encounter with divinity at the most basic level. I was walking with a friend the other day; she was pushing her child—he is about two months old—through a shopping center in a stroller, and suddenly he smiled with apparently thorough delight at something neither of us could see or understand. That flashing incidence of delight was enough to make me think that delight itself is a holy thing, made more obviously good by the little medium who carried it. This sort of event is wonderful, but it is so common that it is easy to overlook.

It may be easier to see this in babies. They don't have a track record. But in adults, cluttered as we are, this phenomenon also makes itself known at odd times. I know that many people, if not all, experience sudden feelings of joy attached to no specific event or reason, sudden moments of illumination which call forth profound gratitude. (An agnostic once told me the one thing that made not believing in a personal God difficult for him was that, at moments of the sort I'm describing, there was no one to thank.) Even at moments of less intensity a simple sort of pleasure or happiness indicates something about us and our relationship to the universe that we might overlook even as it is happening.

Once I was given a dull but profitable writing assignment for a company magazine. I was to interview people who worked for a large corporation and then write an article about how the company hired and promoted employees at every level. I went first to a campus where company recruiters were interviewing seniors and grad students. Two of the three recruiters were old hands, and they were joined by a very eager young man who clearly wanted to impress his colleagues. There was something a little depressing about his earnest ways; he seemed desperately eager to please. His motel room was next to mine, and the walls were criminally, or at least annoyingly, thin—I could hear the snap of his cigarette lighter, could hear him clear his throat. He and the other recruiters went to dinner together and I stayed in my room, writing and reading. Later that night he returned. I heard the lighter again, running water, water off, television on, then off; and then he began to sing. He sang Frank Sinatra songs, and he had a wonderful voice.

A few years later my wife and I were with another couple at a small hotel just outside of Galway. It was run by two pleasant young women who had little to do but take care of us, since it turned out we were the only people staying there. One morning I was reading in the lobby and heard one of the women singing in her office; her voice was clear and beautiful, and though the song's refrain was "Goodbye, my love, goodbye," there was no melancholy at all in her song.



Neither the eager young man nor the woman in the hotel knew they were being heard; they weren't singing for any reason other than the fact that it pleased them, it made them happy, and there is something whole and simple and good about that. In *The Varieties of Religious Experience*, William James defined religion as "the feelings, acts, and experiences of individual men in their solitude, so far as they apprehend themselves to stand in relation to whatever they may consider the divine." That is about as broad and vague as a useful definition can be and still be useful; and I don't know whether the two people I overheard had a thought in their heads about "the divine." But it is immensely pleasing that some people, in their solitude, sing. The divine image here is the image of God who, in one scriptural translation, "made the sea monster to play with," and delighted in his creation. Finally, before choice, intellect, or morality, there is that delight. The very purposelessness of singing in solitude is a celebration of the moment, an often unreflective song of praise and joy. At moments like that it is possible to feel an immense affection for the whole human race. There are all sorts of terrible clues that we are lost; but these moments show that that isn't *all* we are.

This connects with the very ordinary kinds of goodness which are certainly more common than acts of violence or hatred; Gandhi said somewhere that the real history of the race is a history of cooperation and kindness, and that what we call history is a record of the breakdowns of that underlying order. That makes sense; and our horror at Bundy, or people who rejoice in executions, or who beat others, or torment children, all of these things are instinctive reactions to the violation of something we know to be holy, even if we don't use that word. The violation of the image of God in us is not only, or primarily, a matter of the misuse of human intellect and will. It has to do with something much deeper, something which can take delight in a moment. □

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AUTOCRACY ISN'T THE CATHOLIC STYLE

TOWARD A DIVINE-RIGHT DEMOCRACY

PHILIP S. KAUFMAN

Many a worthwhile debate over Catholic issues comes to a sudden stop with the utterance of a single line: "The church is not a democracy." There is a valid response, not often voiced: But *should* the church be democratic? And, again, was it always governed the way it is now?

The answer to the second question is a flat No. Forms and structures of church governance have changed radically many times over the centuries. In the earliest (New Testament) times and in the first centuries thereafter, democracy flourished in fact if not in name. As will be seen, there was a time when it was taken for granted that all the people as well as all the clergy of a local church took part in electing a new bishop. The present system in the Western church, in which control of the appointment of bishops is wholly vested in the papacy, is a very late development indeed.

But democracy is not just about elections. Consider the handling of the birth control issue in our day, and then compare it with the spirit of the approach used in the early church to address a rather more basic issue, whether and how Gentiles were to be received into the body of Christ. Before the promulgation of *Humanae vitae*, a crisis had developed among devout, married laity because the rationale offered for the official teaching on contraception no longer corresponded with their experience. A number of respected theologians concluded that the teaching could and should be changed. John XXIII established a commission on birth control but died before anything was accomplished. In the fourth session of the Second Vatican Council three cardinals and a patriarch argued that the issue should be examined in council; the assembled bishops made it clear by their applause that they agreed.

But then Paul VI removed the issue from the council's jurisdiction. He gave John's commission more time to do its work, but at the same time he enlarged its membership in a way calculated to stack it in favor of the official teaching. Nevertheless, after careful study the commission in a preliminary vote decided overwhelmingly in favor of change; whereupon the pope added fourteen more cardinals and bishops to the two already on the commission, again with a view to turning the vote around. Of the sixteen bishops and cardinals, however, one appointee (the archbishop of Cracow, Karol Wojtyla) did not attend, only three voted to keep the old teaching, and a strong majority of the commission as a whole advised the pope that change was possible and proper. Yet the encyclical barely acknowedged the commission's existence and all but ignored the arguments it had developed. Today, though the teaching of *Humanae vitae* on contraception clearly has not been accepted ("received") in the church, John Paul II continues to demand its acceptance and insists that the issue is not open for discussion among theologians; at the 1980 Synod, the bishops were rebuffed in their effort to reopen the case.

Contrast all this with the way the early church resolved the crisis over the acceptance of Gentiles. Though thousands of Jews had been baptized into the young church (Acts 2:41), the notion of accepting uncircumcised Gentiles seemed unlikely; only after Peter had been prepared by a special vision (Acts 10: 9-16) and the Holy Spirit had come upon the household of the Gentile Cornelius did Peter decide to receive them (Acts 10:44-48). But Peter was called upon to explain his action, and the question was raised again when Paul and Barnabas also accepted Gentiles. In Luke's account of the resolution of the issue at the so-called Council of Jerusalem, James— not one of the Twelve, but "brother of the Lord"—presided (Acts 15:13-21) and decisions were made by "the apostles and the elders, with the whole church" (Acts 15:22).

In brief, the Council of Jerusalem resembled a New England town meeting; one man exercised leadership, but all took part and all decided. Pope Paul's handling of the birth control issue, in contrast, exemplified the decision-making process of an absolutist divine-right monarchy.

This transformation has a history, of course, and not all of it

PHILIP S. KAUFMAN, O.S.B., *is a monk of St. John's Abbey, Collegeville, Minnesota. This article is adapted from a chapter of his book* Why You Can Disagree . . . and Remain a Faithful Catholic, *forthcoming in March from Meyer-Stone Books.*

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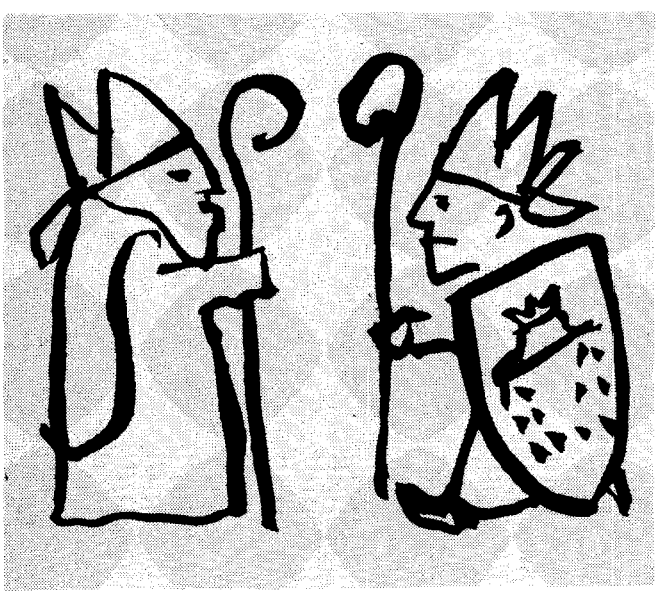
can be thought of as "sacred" history. Though the church has been established by God, it is never directly governed by God but by human agency. Forms of church governance have developed out of the models available and in response to political, social, and cultural changes in "the world," or to particular crises and abuses within the church. Change has risen sometimes out of the political climate of a given time, combined with an urgent need for church reform *and* with aggrandizing and centralizing instincts of individual church leaders (Innocent III, 1198-1216). In other times, less authoritarian-minded leaders (John XXIII, 1958-63) have followed contrary impulses and sought to solve problems by sharing power and responsibility. Since change has occurred in the past and is inevitable in the future, it is appropriate to take thought now about desirable directions of change. In the search for the ideal, all norms recognized as essential to good governance and authentic community in civil society will apply equally in the church; the touchstones of judgment will be harmony with today's needs and fidelity to gospel values.

So: Should church structures be democratic—or, at least, more democratic than they are? One need not wax romantic about democracy to see its virtues: It is, said Churchill, "the worst form of government except all those other forms that have been tried from time to time." The special problems of democratic governance will surface in the church, but so will its virtues, such as openness and accountability; I believe it will be as fair and effective in the church as it has been in secular government.

To see the church as a democracy is not to suggest that the church has been established by a contract among its members. The church is God's con*gre*gation: the *grex*, the flock that God has gathered together; or it is God's con*voc*ation: the people God has *called* together. Looking to the record, however, it is legitimate to ask what type of government comes closest to realizing the New Testament ideal. I question that autocracy,



in which the educated, privileged few control and teach the uneducated masses, best meets that test. Autocracy is particularly inappropriate in the modern world, with its growing respect for individual human dignity and rights, including the right to take part in communal decision-making. That spirit penetrates the church as well; many will agree that today's church needs structures more responsive to the Spirit's voice at work among the people of God.

That doesn't mean that today's vast global institution can be run like a town meeting. Neither does it mean that the papacy must be replaced by a collective leadership, or that the church, however structured, must be deprived of authority. Monarchical forms are compatible with democracy, as in England, the Netherlands, Scandinavia; it is not authority but authoritarianism that stifles the spirit. Part of the meaning of democracy is that it sets limits on the exercise of authority. Discussing "constitutionalism" in his 1965 presidential address to the American Catholic Historical Association, Brian Tierney included the notions of "government under law" or "government by consent," guarantee of due process of law with law not dependent on an autocratic ruler's arbitrary will, but reflecting an entire society's moral principles. Under any form of government certain necessary decisions will displease some; democratic structures are designed to develop a consensus that all citizens can be persuaded to accept, even if sometimes without enthusiasm. Characteristically, this involves an elected representative assembly that makes laws and imposes taxes.

A Catholic understanding of democracy will include awareness of Pius XI's social teaching in *Quadragesimo anno* on the principle of subsidiarity, which prevents the absorption of smaller units of society by a monopolizing central power and promotes widescale involvement in the group's decisions and activities: not just "constitutional" but also "participatory" democracy. In preparation for the 1985 extraordinary synod, almost all bishops' conferences referred explicitly or equivalently to this principle, but Cardinal Hamer, apparently speaking for the curia, rejected its application to the church because of its sociopolitical connotations. But there is no reason why an experientially tested principle of governance must be judged sound for secular bodies yet not for the church. Human nature is operative in both. And the Lord did not say, "....upon this rock I will build my autarchy."

No other than Karol Wojtyla, nine years before his election as Pope John Paul II, wrote of the importance of participation for the realization of fundamental human values (see the chapter on "Intersubjectivity by Participation" in *The Acting Person*). By "acting with others," Wojtyla said, the human person realizes personal transcendence and integration. "Any authentic community" is founded on participation. Effective action for the common good requires "solidarity"—but not automatic conformity, for "opposition is not inconsistent with solidarity," and those who stand up in constructive opposition actually confirm their concern for the common good. Indeed, "the structure of a human community is correct only if it admits not just the presence of a justified opposition but also

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that practical effectiveness of opposition required by the common good and the right of participation." Solidarity must be valued "but never to a degree such as to stifle opposition." Thomas Jefferson, or Lech Walesa, couldn't have said it better.

Democracy in the church is not only a memory; its structures and attitudes exist now, if in some tension with contrary traditions and assumptions. Consider the workings of the Second Vatican Council. Opinion had been widespread that, with the definition of papal infallibility at Vatican I, councils would no longer be needed; the pope would function as the church's sole teacher. Vatican II demonstrated what could be accomplished in the church when all the bishops worked together, with significant contributions from theologians (some formerly silenced), Protestant observers, and, because of the presence of the media, the world church. One of the more significant acts of the council, understood as such at the time, was the decision to alter the order of the second and third chapters of *Lumen gentium* (the Constitution on the Church), when the council fathers deliberately placed the chapter on the church as the "People of God" ahead of a chapter on the hierarchical structure of the church. This was democratic thinking expressed in religious language. The council also acknowledged the importance of the *sensus fidelium*, the sense of the faithful; it taught that infallibility of pope and bishops has meaning only in the context of the church as a whole.

The democratic tendencies put on view during the Second Vatican Council have deep roots, going back to the New Testament church with its community participation and absence of authoritarian structures. It is true that Paul, according to Acts 14:23, appointed elders in churches he founded. But the rest of the New Testament evidence about choosing leaders and about decision-making—the election of Matthias by the disciples (Acts 1:12-26), of the "seven" by "the whole multitude" (Acts 6:1-6), the events of the "Council of Jerusalem," already discussed—points to a high level of involvement by the entire community.

To review the whole story of how the church developed into what is now widely perceived as among the most centralized and authoritarian of institutions is clearly beyond the scope of this essay. Instead, I will sketch—all too briefly, at that—the steps by which the choice of church leaders (in particular, of bishops) slowly passed out of the hands of the whole assembly of the faithful. Election of leaders can be a mere charade and in any case is not the sole constituent of democracy, but it is a principal one and without it real democracy does not exist. It will astonish many to learn that the process by which the people lost all voice in the choice of their leaders passed through many stages and reached its climax only in our own century.

Witnesses of the earliest period in the church point to variety of structures rather than uniformity, but suggest that the democratic tendencies of the New Testament period were continued. A monarchical (not necessarily anti-democratic) structure appears to have developed in churches of Asia Minor around 100, to judge from the writings of Ignatius of Antioch, but does not seem to have developed in Rome until mid-second century. In the third century in the West, not only did the people elect their bishops, but it was considered important that they do so. The *Apostolic Tradition* of Hippolytus from around 230 provides that "the bishop be ordained after he had been chosen by all the people." Cyprian of Carthage, writing to an African council in Spain in 254, warned the people to separate themselves from a sinful leader, "especially since they themselves have the power either of electing worthy bishops or of rejecting the unworthy."

In Cyprian's own election the people had prevailed against the local clergy. In the case of Martin of Tours in 371, they prevailed over neighboring bishops. In another fourth-century election, that of Ambrose in Milan, the people gathered in the cathedral to choose a new bishop. Feelings ran high between Arian heretics, who had controlled the bishopric, and Catholics, who hoped to gain control. A mere catechumen at the time, Ambrose, as governor of the province, went to the church to prevent a disturbance. When he spoke soothing words, a voice (said to have been that of a child) called out "Ambrose for bishop!" The whole congregation, Arians and Catholics alike, took up the cry. Ambrose made serious attempts to avoid the office, but was finally baptized. He passed throught the various grades of the ministry in six days, and was consecrated bishop on December 1 in 373.

By this time, however, a trend toward subordinating the laity's role to that of the clergy had set in. The Council of Nicaea (325) provided that new bishops be appointed by all bishops of the province with confirmation by the metropolitan (the bishop occupying the most important see of an ecclesiastical province). This was repeated by the Councils of Antioch (341), Sardica (343), and Laodicaea (ca. 360), with the provision that the synod of bishops must be present at episcopal elections. By the fifth century, provincial bishops had primary responsibility in the election of new bishops. Consent of other groups remained a factor; Celestine I (422-32) wrote: "A bishop should not be given to those who are unwilling to receive him. The consent and the wishes of the clergy, the people, and the nobility are required." Leo I (440-61) echoed that same concern; "the citizens will despise or hate the bishop

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they do not want and thus become less religious than they should''; more basically, ''[h]e who governs all should be elected (*eligatur*) by all.'' But, in an earlier letter, Leo appears to distinguish between ''election'' by the clergy and the ''request'' of the people. And, generally, the fifth-century papacy assigned higher status to the clergy than to the laity in the election of bishops.

This dawning clericalization of church machinery exemplifies the constant historical interaction between the church and the environment it inhabited. The decline of popular involvement coincided with the collapse of civilization and the accompanying political fall of the Roman Empire (usually dated 476). Struggles between military factions, widespread disease and famine, and serious impoverishment in the preceding century left the empire powerless before invading Germanic tribes. Western Europe underwent a period of steep cultural decline which lasted until 1000.

It was the moral and educational decline of clergy and laity during the Germanic invasions, together with abuses in the election process in this period of turmoil, that led to the people's loss of the right to elect their bishops. With the breakdown of civil government, bishops—the only educated and competent personnel available—became heavily involved in temporal administration. Under the feudal system, bishops were both secular and ecclesiastical rulers of their bishoprics, vassals of their regional overlords. As temporal rulers they were appointed and ''invested'' with ring and crosier, symbols of their office, by kings or emperors. This gave enormous control over church affairs to the rulers who chose the bishops, and to bishops, who were usually not selected because of their religious qualifications. Abuses proliferated, some of the most serious occurring in Rome, where, at least in theory, the bishop—who by his election automatically became pope—was chosen by the clergy and people of the city. The process, however, was poisoned by the involvement of contending factions of the Roman nobility and by the interference of the Holy Roman emperors, with devastating consequences. In the 150 year period before the beginning of reform under Leo IX (1048-1054), there were thirty-six popes, compared with the eleven in the last 150 years of our own time.

The early period of the reform was marked by a return to the ancient ideal of election of bishops by clergy and people. The Synod of Rheims (1049) decreed: ''Without the election of the clergy and the people, no one may be advanced to an ecclesiastical office.'' The Second Lateran Council (1139) held that an election that excluded the participation and consent of ''religious men'' (*religiosos viros*) would be ''null and void.'' The phrase ''religious men'' could include abbots, other priests besides the members of the cathedral chapter, or important laymen; only the lower levels of lay society seem always to have been excluded.

But the end of the people's role was in sight. Around 1140, despite Lateran II, Gratian's *Decretum*, an influential collection of ideas, church laws, and church practices from a thousand years of the church's history, held that people were not to be summoned to perform the election of a bishop but only to give their consent: ''For election....belongs to priests, and the duty of the faithful people is to consent humbly.'' In the 1170s, Pope Alexander III wrote that laymen were not to be admitted to an election: ''The people should be taught not obeyed.'' By 1180, Alexander had made it clear that the right of election really belonged to the cathedral canons, whose collective vote could outweigh that of attending abbots and other priests.

The power of the canons, however, quickly diminished in its turn. The election of a bishop had to be ''confirmed'' by the metropolitan, so that eventually the role of the clergy was reduced to little more than proposing a candidate for the metropolitan's approval—thus increasing the bishop's dependence on the metropolitan and proportionately increasing the authority of the metropolitan.

But this too was a temporary development. In the thirteenth century, popes moved to control metropolitans. Canonists accepted a pyramidal model of the church. The church on earth was thought to mirror the heavenly ranks of spirits, with inferior spirits joyfully and humbly obeying higher ranks. The canonists placed the pope at the apex of the pyramid. If metropolitans could use the power of confirmation to control suffragan bishops, then popes could use the same power to control metropolitans. At first the primary motive appears to have been the desire to centralize control, but soon the large ''voluntary'' gift expected for confirmation of an *electus* became an important part of papal revenue and a heavy burden on newly elected bishops.

A man intellectually and temperamentally capable of strengthening this trend was elected pope at the beginning of the thirteenth century. Innocent III (1198-1216), often called the greatest medieval pope, more than any other pope pushed papal monarchy toward absolutism. Innocent saw control over resignation, deposition, and translation (transfer) of bishops as a keystone of papal supremacy. Until his time, no consistent rules governed transfer of bishops from one see to another; certainly it did not require papal approval. To change that, Innocent used a commonly held idea of the time that bishops were married to their churches. As only God could break the bond of a marriage, he argued, so only God could dissolve the bond between the bishop and his church. But, according to Innocent, Christ had granted a special privilege to Peter and his successors to dissolve unconsummated lay marriages, and also marriages between bishops and their churches: ''God, not man, separates a bishop from his church because the Roman pontiff dissolves the bond between them by divine rather than by human authority....he does not exercise the office of man, but of the true God on earth.''

A breathtaking claim. Innocent carried it further. He held that not just human law but divine institution required that important cases in the church be referred to the pope, to whom had been granted ''fullness of power'' (*plenitudinem potestatis*). By the end of his pontificate he had established the pope's legal right to bestow ''benefices''—endowed ecclesiastical

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offices conferred on clerics for their financial support—in *any* church. They had normally been at the disposal of bishops, and were often granted to unworthy persons. Reform and centralization were achieved together.

The trend was (again) a reflection of the times: kings, too, were increasing their control and their revenues. One means was by providing satisfactory justice in their courts. For similar reasons, abbots, bishops, and other litigants appealed their cases to papal courts, enhancing papal prestige. In this case as with the confirmation of bishops, the approval of transfers to better sees, and the conferral of benefices, the fees that were paid were another source of revenue, which in itself increased the reach of the Roman church.

The centralizing trend has not been a constant. In the sixteenth and following centuries, Catholic rulers regained much influence in episcopal appointments through right of patronage (*jus patronatus*), under which, for financial considerations, Rome granted Catholic monarchs the right to appoint bishops to sees that had been reserved to Rome. In the nineteenth century Pius VII continued this arrangement through concordats entered into with various Catholic rulers. When rulers in Protestant-dominated countries sought the same privileges, Rome compromised by agreeing to accept recommendations from cathedral chapters. As late as 1829, popes appointed only a limited number of bishops outside the papal states. The two principal methods of choosing candidates for the episcopacy were election by cathedral chapters and royal or imperial patronage.

Oddly enough, it was an unusual situation in the United States that led the way toward universal appointment of bishops by Rome. Since the American colonies had been founded from Protestant England, no right of patronage had been granted. Moreover, no cathedral chapters existed to elect bishops, and separation of church and state precluded any involvement of the American government. The first bishop, John Carroll, had been elected by twenty-six active priests in the United States and Pius VI accepted their choice. Subsequently, Pius VII accepted five candidates "elected" by American priests and bishops. In 1810, the American bishops requested that the right of nomination of future bishops be granted to the archbishop of Baltimore and his suffragans. The request was refused, and a decision was made that American bishops could only recommend possible appointees, whom the pope could freely accept or reject.

This procedure was subsequently extended to the whole church. With the secularization of Catholic states in Europe in the twentieth century, the church recovered control over episcopal appointments in those countries. Instead of restoring the right of election to cathedral chapters, however, appointment was reserved to Rome. The 1917 Code of Canon Law claimed that the bishop of Rome "freely appoints" the other bishops (Canon 329, 2) and that any right of others to appoint is a concession. At that time, however, only about half the world's bishops were appointed by Rome. Today, at least in the Latin rite, Roman control is almost complete.

Is that necessary? In the discussion on collegiality at Vatican II, Patriarch Maximos IV Saigh insisted that "appointment of bishops is not restricted by divine right to the Roman pontiff" but is a merely historical development in the Western church that should not be made a rule of law for the whole world. The 1983 code ignored such pleas. Canon 377, 1 states: "The Supreme Pontiff freely appoints bishops or confirms those who have been legitimately elected." Norms of the code for selection of bishops are carefully devised to avoid even the appearance that those who may be consulted have any right to elect. In a long and strictly secret process for obtaining names of suitable candidates, the papal legate is "to hear some members of the college of consultors and of the Cathedral chapter." If he thinks it expedient he *may* obtain the opinions of other members of the clergy and outstanding laity, but only *individually and in secret*; they are not to be consulted "collectively" lest it appear that they are actually involved in choosing their future bishop.

Clearly this system contrasts starkly with the spirit and forms of church governance in the earliest times. Why is it in place? The answer, of course, is history. Once adopted, centralizing tendencies that may have begun in response to urgent current needs, or that reflected the temper of given times and/or the character and personality of particular leaders, tend to become permanent features of government; power is hard to acquire but harder to release. In church governance, central control of *administration* comes to be linked with preservation of true *doctrine*; it tends to be sacralized, seen as flowing inexorably out of Christ's few words of establishment. But the first pope was not regarded and did not regard himself as the only source of Christian wisdom, the only guarantee of orthodoxy; the papacy today is not the church.

And what are the effects of our system? Autocracy—the right name of our present order—has little to recommend it as a form of government, except perhaps in periods of emergency, to deal with widespread ignorance or indiscipline or abuse. Today it is in almost universal disfavor. It does not foster authentic community or personal engagement; it does not promote participation; it does not use the gifts of the people. In its imperfect way, democracy does all these things better. That is already evident in parishes and religious orders and whole dioceses in this country and elsewhere, where the spirit of Vatican II has been translated into practice. But these partial reforms will lose credibility if that spirit is not applied to larger structures and central choices of the church; specifically, to the election of bishops.

The original reasons for the people's election of their bishops remain valid. Leo the Great's assertion: "He who governs all should be elected by all" still holds. Election of their bishops by clergy and people has deep roots in the communitarian, democratic nature of a church whose leaders are called to serve and not to be served. Only such a structural reform can counter authoritarianism and lead to the rapport between the People of God and their leaders needed for the church and its mission. □

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WHAT WOULD OUR CHILDREN THINK OF US?

THE FORBIDDEN WATERS OF LANSDOWNE

JAMES T. RYAN

In 1981, our family moved to Lansdowne, Pennsylvania, a small town of some 10,000 people, twenty-five minutes west of Philadelphia. Not long after, we heard about the Lansdowne Swim Club (LSC), built twenty-five years earlier by a group of local residents. The pool had a selective admission policy and it was no secret. More recently, with overt racism no longer socially acceptable, the club did its discriminating silently, but no less effectively, and cited its "private" status as a defense.

The "villains" of this story are our three adopted children. Our oldest daughter, Maria, Puerto Rican, was five years old at the time. Ramon and Teresa are twins of mixed Chicano and black ancestry. My wife and I are white.

We are neither professional agitators nor rank amateurs; we both have experience and training with the United Farm Workers, and I work as education director for 1199, (the National Union of Hospital and Health Care Employees). Our decision to try to integrate the club was not made lightly. We weighed the pros and cons for ourselves and our children. We knew what an attempt to integrate the pool would cost us. For me the clinching question was: As they grew up, what would our children think of us if we silently tolerated racism against them? Besides, we really did want to swim in our own town.

So in 1984 we decided to apply. We went through the normal admission procedures, writing a letter asking to join, filling out an application, and getting two references. At that time, 90 percent of the voting members had to vote "yes" in order to admit an applicant. Early on, one of our sponsors seemed to have second thoughts and called to say maybe it would not be a good idea to sponsor us after all. But our letter to the pool had already been mailed.

That spring, we were visited and interviewed by a member of the admissions committee. The visit was the pool's device for making sure no blacks were sneaking into the club. Once, we were later told, a club official insisted that sleeping children be wakened so he could see them. Some club officials had already seen our children, however, so the visit was perfunctory. We were given a copy of the pool rules, had our application looked over, and paid our dues. We had only to await the vote.

JAMES T. RYAN *is director of education for the National Union of Hospital and Health Care Employees, 1199.*

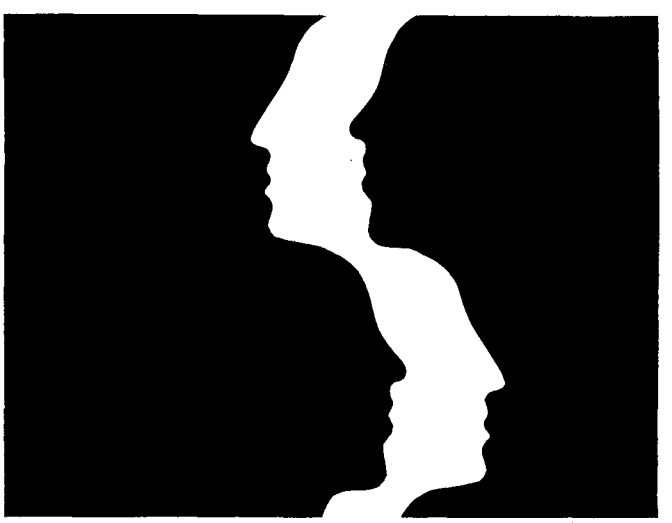
Since I did not want to mousetrap or appear to ensnare the club, I called a club board member who we believed would be sympathetic. He was a Democrat in a very Republican town. He was a union member, belonging to the same local as my father-in-law and brother-in-law, and an Irish Catholic, pillar-of-the-church. We told him we wanted to join the club though we were aware of the club's admission history: no family with a black member had ever been knowingly admitted. We said we were looking for a quiet solution, but we would not disappear if we were rejected.

The call was a mistake. This board member later testified in court that he voted against our membership. His reason, he said, had something to do with our children's dress. That struck me as flimsy.

The week of Memorial Day, May 1984, we received the news that we had been rejected by the club.

We launched our campaign by outlining a strategy and forming the Committee to Integrate the Lansdowne Swim Club. We needed publicity; we wanted to enlist the support of the churches, the unions, and any pool members who could be won over.

Picket lines are generally good media events; picket lines in Lansdowne are like landings on Mars. Our picketing of the LSC was front-page news in the local papers. The Philadelphia



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media were especially cooperative because my boss, Henry Nicholas, is president of 1199. I let Nicholas know I was taking on an extracurricular activity that might be very public. By the time I returned to my office, fifty feet away, a news reporter was on the phone. Nicholas had alerted her.

One of our earliest hopes was that the churches would play a major role in framing the morality of the issue. The Lansdowne Ministerium is a forum for most of the local church leaders. Responding to our request, they met and issued a very strong letter of support, which they sent to the pool officials and to the local press; one of the signers was the pastor of our home parish, St. Philomena's. As far as we know, however, the issue was never raised formally at any religious service except by the Quakers, though one Sunday at Mass I heard a vague reference to the situation in the Prayer of the Faithful. Some religious leaders, especially from Jewish groups, also wrote to the pool committee supporting us, copies to newspapers.

Many of our group are Catholics. Catholics are also a significant segment of the pool membership. Financially, the pool could not function if Catholics were ever to withdraw. So we made a special effort to draw in church officials. We met with the executive director of the Cardinal's Commission on Human Relations and several members of his staff. Their strong show of sympathy fueled our hope. The director wrote to the pool's board members, calling for a change in policy. No one ever responded. The commission staff sent a letter to all the priests in a dozen parishes in Delaware County, Pennsylvania, inviting them to discuss the issue at a special meeting. According to the director, they convened so many priests because they had received similar complaints about other pools in the county and presumed that racial discrimination was common.

We heard nothing, and after a few weeks I called to inquire. The director said that there had been a good turnout. There was general agreement that the problem was widespread, but the clergy thought it would do more harm than good to raise the issue or do anything about it. The commission's involvement stopped completely.

Meanwhile, our Committee to Integrate the Lansdowne Swim Club continued to look for support, contacting the Borough Council (most of whom were pool members) to ask for an ordinance banning racial discrimination. Seeking endorsements, we approached several politicians. Philadelphia politicians were generous in their support; local officials all refused. Democratic U.S. Congressman Bob Edgar endorsed our efforts, despite the obvious risk of losing votes. We also received endorsements from several national figures: Ossie Davis, Ruby Dee, Ed Asner, and Kurt Vonnegut.

During the summer of 1984, we received help from some members of the LSC itself. These members organized a petition drive to force a special meeting to discuss the issue. On the meeting night, the LSC reformers were stunned. Club officials had mobilized an overwhelming turnout. Dormant members, whom regular swimmers had never seen, drowned out the reformers.

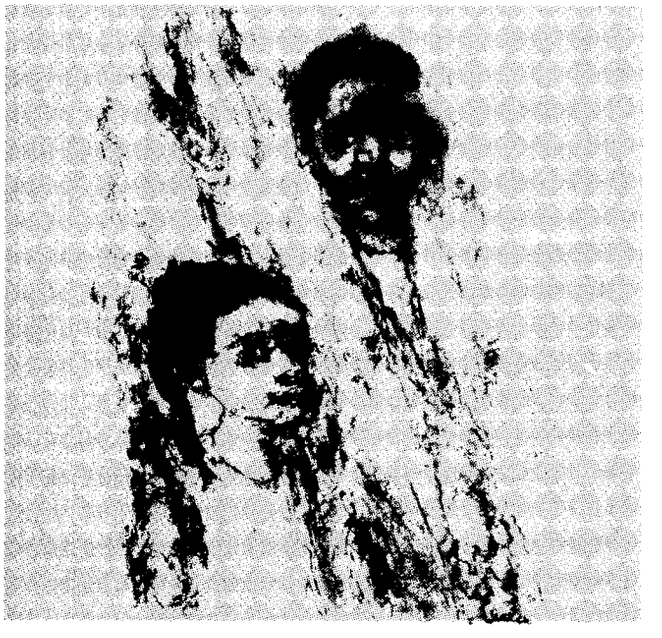
The legal system, though slower and more ponderous, proved to be more helpful than the churches. Friends with long experience in civil-rights cases urged us to approach the Pennsylvania Human Relations Commission. There was significant risk in the legal approach. If we lost a legal case, the pool officials would use a court victory as vindication. After the publicity surrounding our picketing, several previously rejected pool applicants came looking for us. One of them, Dale Allison, a white nurse married to a black physician, had fought a lonely battle, applying to the pool three times after her first rejection. She had filed a complaint with the Human Relations Commission in 1976. After several years of maneuvering and discussion, the commission declined to proceed because the "private" pool was deemed outside its jurisdiction.

Why, then, should we go the same route and face the same defeat? Our activist friends argued that the previous decision had not set a legal precedent; the commission's legal counsel had changed; and there was reason to believe the new staff would consider the previous decision a mistake. What convinced us to go to the commission was the value of having someone else in the battle, some public agency to whom the pool would have to account for its actions.

We filed a complaint in July 1984. The club promised cooperation in the commission's investigation, but when asked for its records, they refused and appealed the subpoena order. When the appeal was denied, the club filed a second appeal with the Commonwealth Court. On January 31, 1986, the judge ruled that the commission had no jurisdiction and denied the subpoena order.

We were crushed.

Our war-weary group met to consider the options. All of us wanted out. On the other hand, none of us could stand the picture of a small group of racists savoring their victory. So we called a press conference and announced victory. Our message to the press was that we were happy that the issue was out of the



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courts: racism was not really a legal issue but a moral issue. We outlined an agenda that would emphasize the moral dilemma facing Lansdowne. Henry Nicholas spoke at the press conference, emphasizing the importance of the union to our struggle and then made the offer of financial support. Other unions present offered to match Nicholas's gift.

The press reaction was staggering. "Law Keeps Racial Bigots Afloat" was the headline of an opinion column in the *News of Delaware County*. The *Delaware County Daily Times* ran several news articles and an opinion piece, followed by a stinging editorial. At least we had soundly defeated the pool in their attempt to put the issue to rest.

Ironically, the legal case did not die. The Human Relations Commission appealed the Commonwealth Court's decision to the Pennsylvania Supreme Court. There they won a narrow, precedent-setting victory, overturning the decision of the Commonwealth Court judge—an unprecedented event in his eighteen years on the bench.

An old union friend phoned to say he had seen a brief news item announcing a federal court order to integrate a pool in Missouri. I called the Justice Department attorney who had directed the Missouri case, who questioned me sharply, was noncommittal, but said someone would follow up. A second attorney called and asked endless questions. I sent them all the news clippings and started to dig out the specifics on what the pool had been doing for the last twenty-five years. Then, there were several months of silence before the lawyer called again to say that a third lawyer, Manny Vargas, would come to Philadelphia to conduct his own investigation. Vargas, a new player in our tournament, dramatically accelerated the pace of events.

I was interviewing a student in my office late one afternoon when someone came to the door and held up the evening paper. Half the front page was a picture of our children. The story said that the U.S. Justice Department had filed suit against the Lansdowne Swim Club for violating the 1964 Civil Rights Act. Thanks to Vargas, the tide had clearly turned. It was no longer a handful of disgruntled swimmers. It was the Attorney General of the United States.

Virtually all cases of this sort are settled out of court. In fact, some of the Justice Department lawyers had never actually seen a case go to trial. But, after another year of filing depositions, setting and postponing trial dates, and other legal maneuvers, in June, 1988, the trial actually took place—four years after we had first applied to the club.

The evidence against the club was substantial. Old records were missing, destroyed in a mysterious fire that occurred during the Human Relations Commission's investigation. Still, it was clear: For the last eight years, every white applicant had been accepted and every black applicant had been rejected. The pool had accepted one white woman who had an interracial child, but the child appeared to be white, according to club testimony, and, apparently, most people were not aware that he was not totally white. In addition, there were numerous instances of applications from blacks being "lost" or "never received." Club officials described going door to door to recruit new members, avoiding areas where blacks lived. They said they referred any blacks who expressed an interest to a neighboring, predominantly black swim club (started because blacks could not get into any other club in town).

It is now 1989. Maria is nine, the twins are seven. They have not yet been allowed to swim in the pool nearest to our home.

The club has been discredited and its history of racism publicly documented. It remains for the trial judge to decide whether it is public in nature and, therefore, subject to federal law. The Justice Department argues that the club's only private aspect is that blacks are excluded, and that its "private" status is a ruse to mask racial discrimination.

Technically, the case is not over. Oral arguments were heard in the Federal District Court in the fall of 1988. The pressure for integration seems inexorable. The Justice Department expects to win, and has already said it will appeal a loss. Still on hold is the whole other court action of the Pennsylvania Human Relations Commission against the club.

The thing that still puzzles me, my wife, maybe my children, and others is the question of why, at this late date, this long process was necessary. □

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Joan Rohr Myers

Offertory

Denied ordination
by virtue of sex,
I find it ironic
that God sends me
a consistory of cardinals
red-robed and chattering.

Within yards of my touch
they rest on the hedge
near the window
and must understand
the wall they can't see
would break their bones
if they flew full-force
against it. One move from me
and they'd disappear
unless glass this thin
works like a mirror
in the day's early light.

They see only themselves
safe on bare wood
and I watch
as they take what they need:
the oil I leave
in sunflower seeds
the color of ashes.

Joan Rohr Myers

Interiors

Two dozen daffodils
held in clear glass or white
linen
are drawing the sun
and your eyes.

After so long an absence
we need something bright
to pull us together.
"I have always loved
the light in this room."

In the basement below
cider bottled last autumn
discovers its sparkle.

Dixie Partridge

Watermark: The Reservoir

From the new mountain highway,
we have watched the narrow road below
lapped up by the lake, water rising
all the way to Hyde's place:
now the tips of Lombardys
point above water like sable brushes.

I am ten, and wood slabs float
into haphazard rafts at Cresent Cove;
I am certain they rise from barn roofs
collapsing upward:

Surely the road beneath
still winds,
strange, stringy plants
waving upward in the current
where wild roses
pale toward green light.

Aspens quake for a season
under the ripples.
Persistent birds
bubble songs to the surface,
holding to branches
washed of leaves.

Trout from streams of Wind
River Range find the limits
of the lake exotic—
ground nests of larks
hatch spectacular birds
to climb the liquid sky.

Joan Rohr Myers

What We Wear

I put down the medieval mystery
I'm reading and we go for a walk.
It is cold for October
and we follow the clouds
of our breath. As you turn
up your collar, the full bowl
of moon splashes
a monk's shadow beside you.
The cowl grazes your neck
and you hang strangely
at ease in whatever wool
you are given. History wears

the same face after dark;
and with skin so close
to the bone, you take on
an aura of granite.
You mirror the moon
and I study the ranges and crevices,
your life and your death,
all within reach.

We move along: you cracking
the leaves like dry parchment,
I, on the rag-wrapped feet
of a twelfth-century spy.

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SCREEN

POSITION HAS ITS PERKS

'TUNE FOR THE FLUTE'

Forgotten Tune for the Flute is one of several coming *glasnost* films: Russian productions that profit from the new atmosphere of freedom in the Soviet Union. *Tune* fancifully comments on the change. Its plot concerns a middle-aged bureaucrat (Leonid Filatov) at the "Leisure Time Directorate" whose main job is making arbitrary decisions about censoring art. Under *glasnost*, this film jokes, the directorate is genuinely confused about what to allow. Though no Stalinist, Filatov muddles along in the old ways, and in private fantasies about liberty. "We never ban anything," he explains cynically. "We just offer suggestions."

Filatov falls in love with an actress and part-time nurse named Lida (Tatyana Dogileva). The affair deepens him; carrying on romantically, he realizes, could cost him his job. The symbol of Filatov's new mood is that he begins to play the flute again—an instrument he had studied as a conservatory student before he married the daughter of the senior bureaucrat who kicked him upstairs into officialdom. "Dad made a man of you, you piddling musician," Filatov imagines his sour wife saying to him in one of many Fellini-like sequences where Russians become so truthful that they adopt *glasnost* in their private lives. In his new romantic mood, playing the flute makes him "open" up into real independence.

To some degree, *Tune* recalls other European films (e.g., 1974's *The Middle of the World*, by Alain Tanner) that examine the conflict between bureaucracy and free-spiritedness in modern society. Director Eldar Ryazanov has photographed *Tune* to make Russia seem European, with plenty of shots of modern buildings and wide boulevards, juxtaposed with crowded open air markets, and narrow medieval lanes. In Filatov's upscale apartment, a large bottle of Cinzano stands prominently on the table. "Look at me," it seems to say, "I'm European."

But Ryazanov also spices *Tune* with a specifically Russian flavor, not just in the topical references to *glasnost*, but in a whimsical, somewhat annoying style. Fantasy sequences, initially surprising, turn predictable, as when Filatov's uncertainty about the direction of his love life goes on too long. A subplot about a chorus whom he flippantly sends off to the Black Sea also gets tedious, despite a hilarious scene where the group of *zoftig* sopranos in ethnic costume rises on the flight deck elevator of an aircraft carrier while serenading the crew.

Several excellent scenes comically depict the continued lack of privacy in the Soviet Union. Filatov's clandestine love affair is presented as light mock-heroic, in which Ryazanov uses every interrupting knock on the door to echo scenes of nocturnal visits from the secret police. The deadpan screenplay is amusing: at one outdoor art show, a voice on the PA system announces: "Will the woman peddling Hungarian pantyhose leave the grounds immediately!" At one point, rejecting Filatov's advances, Lida declares: "You're taking advantage of your official position," to which he responds, "That's what it's for." Too bad Ryazanov gets giddy on his own wit. But isn't this an old Russian story? In art or life, how often blithe spirits, freed from harsh restraint, seem to go to the opposite extreme.

TOM O'BRIEN

Ethics in America: where else?

PBS in late January began its ten-part series, *Ethics in America*. The format will be familiar to viewers of Fred Friendly's previous effort at adapting the Socratic method to modern ethical, medical, and legal quandaries (see *Commonweal*, October 10, 1986). A panel of expert practitioners and knowledgeable observers are led through a series of dilemmas moving from the simple to the serious (and sometimes on to the silly) by an interlocutor who ratchets up the stakes as the discussion moves along. Strictly speaking, most of the programs in this series deal not with ethics in America, but with ethics in the professions (law, medicine, politics, the military, journalism, and business), which are regulated by law and custom as well as by ethics. "To Defend a Killer," will confuse as much as enlighten TV viewers about ethical issues in legal practice. The program does nothing to sort through the fundamental dilemma of what to do when law and ethics conflict. Viewers will not be in error if, at the end of this program, they are left with the impression that the law works to subvert truth-telling.

Overall the series is diverting and entertaining; the panelists knowledgeable, witty (Antonin Scalia, Donald Shriver, and Liz Smith for three), and ready to take on the law professor or fellow panelist. Real moments of uncertainty and reconsideration crop up: Mike Wallace and Peter Jennings disagree on the journalists' obligation to remain neutral in war coverage, especially when lives are at stake ("Under Orders, Under Fire," Part II). Real professional integrity and sterling moral character shine forth (Brent Scowcroft, Barney Frank, Katherine Fanning). Ethics or classy bull sessions? J. Bryan Hehir's careful distinctions and lucid analyses on the military programs show up the gap. But it's better than Morton Downey.

AMBROSE CLEARY

Ambrose Cleary is a translator and essayist.

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The tidy plans that crumbled

BREATHING LESSONS
Anne Tyler
Alfred A. Knopf, $18.95, 327 pp.

Elizabeth Beverly

Walking into the wide but comfortable expanse of an Anne Tyler novel can feel like settling down into a porch swing on a late summer evening. The neighbors on the porch next door begin to talk as the swing easily glides. Back and forth, back and forth. These neighbors' lives sound familiar, but quirky. And it is this quirkiness that grabs us, a whimsy that makes us more than simply interested in the stories they tell.

If we are drawn to Tyler's fiction for many of the same reasons that we might be drawn to gossip (just how *do* other people live?), Tyler is going to let *them* tell us. She's not going to talk about her characters, but rather quite deftly smuggle us into their lives, slip us into their skins. Imagine the ease of sitting in a porch swing and hearing not only the neighbors' conversation, but overhearing the minds of the neighbors as they sit in silence, unable or unwilling to speak, yearning to make sense of their particular lot.

The minds we overhear in Tyler's eleventh novel, *Breathing Lessons,* belong to Maggie and Ira Moran on a late summer Saturday, as the middle-aged couple drive out of their ordinary suburban Baltimore life to the funeral of Maggie's best friend's husband in rural Pennsylvania. The trip to the midmorning service should be easy enough, Ira should even be back in time to open his framing shop for afternoon business, but before departure, on page five, as Maggie drives out of the auto body shop, she hears a voice on the radio that sends her lurching into the street, into a new minor accident that seems to loosen everything: the previously intact fender, the past, hopes for the future, faith in her marriage, longing for the grandchild whom the couple haven't seen in years. Just as the car can't stay fixed, the day's tidy plans crumble, and a quest begins.

Breathing Lessons is the story of that quest, modest by the standards of imaginative literature, but deeply felt. As Maggie and Ira undertake this rather haphazard daylong journey, we realize from their cascading memories and hopes that they are both in search of nothing less than the meaning of family. But even as I write these words, I sense that I am making Tyler's novel sound much more earnest than it really is. In fact, the narrative ambles easily, delightfully, at times preposterously. The sure prose, the wonderful telling details, the concerns of busybody Maggie and silent, kind Ira create a world in which we can remain interested, intrigued perhaps, but undisturbed. Despite the tantalizing hint of "How To" in the title, *Breathing Lessons* lets us sit back in our own more or less comfortably rocking lives without a thought of change.

Should this bother us? Does the novelist owe the reader a kick in the pants? Should a reviewer criticize a gifted novelist for seeming to refuse the high moral charge of art? No, no, and no! But what about the characters whose lives we've followed so faithfully? What does the novelist owe them? Should they exist simply for our amusement and then be put cozily to bed at day's end before the novelist has even begun to engage in the heartfelt pain they've expressed?

There are no answers to these questions, but if it occurs to a reader to raise such questions at all, to imagine that characters are trapped by the very form that creates them, then we're in the presence of an oddly skewed work, one which raises expectations it has no intention of meeting. The problem is not that the book veers to whimsy, but more that the easy, whimsical tone creates a false sense of peace and thereby devalues the actual longing which rips through the hearts of the characters for whom we care.

I believe that the skewing begins with the conceptualization of Maggie, in whose mind we ride throughout two of the three major sections of the novel. As soon as we meet her on her unsteady way to the body shop, we suspect we shall like her. As soon as we meet her, we learn to laugh with her and at her. She's having trouble walking in her "crisp black pumps....Another problem was that the crotch of her panty hose had somehow slipped to about the middle of her thighs, so she had to take shortened, unnaturally level steps like a chunky little wind-up toy wheeling along the sidewalk."

> *For the past several months now, Ira had been noticing the human race's wastefulness. People were squandering their lives, it seemed to him.... He was fifty years old and had never accomplished one single act of consequence. Once he had planned to find a cure for some major disease and now he was framing petit point instead.... And his wife! He loved her, but he couldn't stand how she refused to take her own life seriously.*
>
> —Anne Tyler
> *Breathing Lessons*

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Chunky little Maggie wheels right through the day; she's more scatterbrained than eccentric, more endearing than downright lovable, more "inventive" than simply dishonest. We stick with her because she's funny, always on the verge of amazement, and takes herself half seriously. But not seriously enough, if we're to believe Ira. And we do believe Ira. By the time we are allowed into Ira's head, we find that "he loved her, but he couldn't stand how she refused to take her own life seriously. She seemed to believe it was sort of a practice life, something she could afford to play around with as if they offered second and third chances to get it right."

Ira's insight evolves from his conviction that human life is full of waste, particularly poignant since Ira's youthful ambition to become a doctor was swallowed years earlier by the obligations he assumed for his family, not only for Maggie and their children, but also for his weak father and two dependent sisters, one developmentally disabled, the other emotionally so. The fact that Ira's section occupies the physical center of the novel seems to be no accident. The more sober of the two main characters, he provides the weight to hold the narrative on course. Or he ought to. But the novel itself is Maggie's own crazily conceived course. She is the one who sees what to do, where to go, proceeds through the day and, we suspect, through life, with the only authority this family knows.

This authority gets her into trouble, makes her appear ridiculous: to Ira, to her children, to us. About her kindly meant deceptions, Ira asserts, "It's Maggie's weakness: She believes it's all right to alter people's lives. She thinks the people she loves are better than they really are, and so then she starts changing things around to suit her view of them."

Certain novelists could be described in the same way as Maggie, but I suspect that Tyler agrees with Ira about the suitability of such imaginative whim. I think she believes that the lives she has invented for Maggie and Ira are simply what they are. There is no changing them. It's as if Maggie, Tyler's creation, has more faith in herself and in the world than Tyler herself does. Tyler's world, full of the wonders of language and the tenacity of hope, is an insistently secular world. During the course of the novel, we sit through a funeral designed to make a widow feel better, a wedding rehearsal, a film of a wedding, some choir practice, a few moments in church. But nothing sacred disturbs the quality of these lives. It's no surprise that Maggie's longing for family union seems at moments almost monstrous. There is no promise of any greater union than that expressed in amicable silence.

So, by the time we reach the final pages of the novel, the final hours of the day, Maggie's last utterance sounds simply "just like Maggie." It's not the wrenching, chilling wail of wife to husband that, I suspect, could help us think about our own lives, our own loves. "Oh, Ira, ...what are we two going to live for, all the rest of our lives?" By this point, we feel like Ira, convinced that if an automatic "there, now, sweetheart" will not answer her, at least it will comfort her, and let her sleep.

And so the novel closes with Ira playing solitaire on his side of the bed, and Maggie settling down on her side of the bed. Perhaps Tyler wants us to believe this cozy separation is happiness, that Maggie's ambition is unrealistic, therefore laughable. Perhaps she wants us to recognize that comfort doesn't depend upon how such a day ultimately turns out, but upon the fact that such a day can happen at all, that past, future, and present can occasionally stream through us all at once, and make life appear full and rich and possible.

If this is the case, then it is a mercy that Maggie can so simply close down and go to sleep. But I feel bad that by the end of Maggie's novel I can take her no more seriously than Ira or even Tyler. For she is a neighbor who would want to make my life better if she could, if only I could let her words reach me, disturb me, wake me from my nightlong, easy swing. □

LIFE WITH THE VANGUARD

SANDINISTAS
The Party and the Revolution
Dennis Gilbert
Basil Blackwell, $24.95, 234 pp.

Edward R. F. Sheehan

Early in this interesting and useful book, Dennis Gilbert explains the theory of the Sandinista "vanguard." He writes that "Lenin's conception of a vanguard party probably did more than any other Marxist idea to shape the FSLN [Sandinista Front]." Because the Nicaraguan peasants and workers were ideologically backward, no socialist transformation was possible without an elite of professional revolutionaries. The Sandinistas adapted Marx's and Lenin's theories to Nicaragua's indigenous conditions, so enfeebled by U.S. imperialism.

Thus the Sandinistas broadened the definition of the class basis of revolution and emphasized their own vanguard role, with particular power for the nine commanders of the National Directorate. "The immaturity of Nicaraguan society requires a two-stage revolution. The gradualist character of this conception reinforces the need for a vanguard to guide the country through a complicated process of historical change....Lenin echoes in the Sandinista description of the vanguard as 'the leader of the class struggle.' But there is something more heroic and passionate—echoes of Sandino—in the Sandinista vision of a 'few men and women who at a given moment in their history seem to contain within themselves the dignity of all the people.'"

Mr. Gilbert argues that in the decade since they seized power, multiple contradictions imposed by experience and real-

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ity have rendered the Sandinistas more flexible if not more soft. "Anti-Yankee nationalists, they seek an accommodation with Washington and negotiate with" the *contras* "whom they previously described as Washington's mercenaries. A second image begins to emerge: a party of pragmatists, sometimes stubborn but finally open to compromise."

Having mastered the immense literature in Spanish and English, Mr. Gilbert promises to be "as objective as I know how." Certainly he is honest as he concedes the major role of Sandinista errors and mismanagement in the collapse of the economy and does not seek to blame all of the Nicaraguan people's suffering on the U.S. aggression. His chapters on the bourgeoisie and on Sandinista agrarian policy are abundantly informative and valuable.

The author adroitly guides us through the tormented relations between the vanguard and the merchant class. For tactical reasons, the Sandinistas allied themselves with the bourgeoisie to overthrow Somoza, then with victory pushed the bourgeoisie aside as they consolidated state power in their own hands. Theoretically the economy remained "mixed" but in practice the revolution "curbed managerial freedom to set prices, lower or raise wages, fire workers, buy raw materials, redeploy capital, obtain credit, or buy foreign exchange.... Private participation in the economy was...declining through expropriation and the shrinking private contribution to new investment." In agriculture, despite some marginal benefits to the rural population, and for all the Sandinistas' "revolutionary romanticism," by 1984 agrarian reform had "barely touched the needs of the rural poor" and production of food has continued until now to decline disastrously.

I found Mr. Gilbert's chapter on "The Church and the Revolution" less convincing. Though he admits that the following of the "popular church" is minuscule, he seems to favor the Sandinistas in their confrontation with Cardinal Obando and the official church. I question his claim that only "the conservative privileged classes" identify with the cardinal, and that the Nicaraguan bishops "forgot their own admonition to see the world from the perspective of the poor."

On the contrary, as the economic chaos of the revolution has increased, not only have the poor filled the official churches, the cardinal has become a voice of the poor as he battled the revolution. He acted not simply from anti-Marxism but from sorrow for the destitution the Sandinistas were imposing on Nicaragua. His refusal to condemn the *contras*—no matter the anathemas of the religious left in Nicaragua and the United States—in retrospect was a shrewd strategy because it enabled him to maintain his historic role as mediator of Nicaragua's quarrels. It was the cardinal, after all, who first brought the Sandinistas and the *contras* to the negotiating table.

And though he alludes repeatedly to Sandinista mistakes, I miss in Mr. Gilbert's book any vivid sense of Nicaragua's desperation after a decade of revolutionary disaster. Undeniably, the U.S. aggression is responsible for much of Nicaragua's misery. But Sandinista policy is equally if not more to blame, and one has only to visit Nicaragua to see the evidence.

On my fourth lengthy visit there last summer, I was astonished at the deterioration of life, which in 1986 I was convinced could hardly deteriorate further. Despite the truce with the *contras*, the Sandinista army has increased, producing nothing, while consuming 62 percent of the nation's resources. This overriding fact—a hundred thousand men or more under arms, with as many in reserve—negates the Sandinistas' other impulses toward pragmatism.

Upwards of six thousand people (not counting former National Guardsmen), many accused of collaborating with the *contras*, remain political prisoners. Much of the middle and professional class—whose skills the revolution needs more than ever to achieve its social goals—have despaired of life under the Sandinistas and have fled Nicaragua, thousands of them pouring with poor Nicaraguans across the border of Texas in the last several months. Formerly Nicaraguans were hungry; now many are starving, and it is dismaying to witness not only the begging children in the streets but the infants dying of malnutrition and an epidemic of diarrhea. In December, President Daniel Ortega told the *New York Times* that inflation in 1988 was "about 20,000 percent."

This helpful book on Sandinista theory and practice should be read in tandem with David Nolan's more cynical, brilliantly analytical and illustrative *FSLN: The Ideology of the Sandinistas and the Nicaraguan Revolution* (University of Miami, 1984). Mr. Gilbert is, of course, entirely correct in proposing a peaceful accommodation between the Sandinistas and the United States. He seems to recognize that, whatever concessions the Sandinistas might make toward democracy, they will never share control of the army and the police and thus never effectively share power.

To achieve permanent peace, aside from negotiating external security problems, the United States will have to allow the Sandinistas to keep their revolution inside Nicaragua. Over the years, we might nudge them as best we can toward evolutionary Marxism on the model, say, of Hungary. Mr. Gilbert seems confident that the Sandinista vanguard will rise to the challenge and become more open, democratic, and practical. I am more skeptical, but—for the sake of the Nicaraguan people—I can only pray that he is right. □

There is an enormous ideological tension latent in the vanguard concept. The vanguard wants to liberate and empower the oppressed and at the same time to control and transform them...to coerce those it purports to represent. What does the vanguard do if the masses resist its historical vision? The question is most likely to arise as a revolution traverses periods of domestic and external strain and the vanguard must demand current sacrifices in exchange for future (uncertain) benefits.

—Dennis Gilbert
Sandinistas

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WHERE THE IMAGINATION LIVES

SOLITUDE
A Return to the Self
Anthony Storr
Free Press, $17.95, 216 pp.

Ann Belford Ulanov

In the mid-nineteenth century, Baudelaire, out of his solitude, asked a question that we very much need to answer now that our century is drawing to a close. He asked why people did not want to talk about what really mattered. Anthony Storr in his examination of solitude helps us reflect on the connection between certain levels of creative work and the capacity to be alone. Not lonely, but alone, thinking and feeling about how the parts of ourselves go together, how our work makes intrinsic patterns of reality evident, and how the cosmos is ordered to make a whole.

In this readable text, Storr gives interesting vignettes of the lives of people who are both creative and solitary. Kant and Wittgenstein stand out for profoundly original thought that required of them many hours alone for concentrated reflection. Kipling, Saki, and Wodehouse found not only refuge but reparation from uncaring parents in the solitary constructions of stories that eventually offered many hours of equally solitary pleasure to their readers. Newton successfully battled a psychotic interval through the resources and refuge of work, whose high degree of abstraction required long periods of solitary, intense thought. That would not have been possible, Storr asserts, if Newton had been subject to the ordinary demands of spouse and family.

Storr is not arguing that creative work is an alternative to human relationships. He is making the case instead that "human beings are directed by nature toward the impersonal as well as toward the personal, and that this feature of the human condition is a valuable and important part of our adaptation." Moreover, in the later years of our lives, the "third period" to be exact, the interest in meaning, wholeness, pattern, and purpose assumes dominance. As with Beethoven in the later quartets, there is less interest in pleasing or reaching the listener than with the contemplation of one's own experience of reality, thinking out loud as it were, meditating on being and letting others listen in. Or, for some Beethoven admirers, we might go further and say that in the late quartets we are hearing Being's experience of Being.

Storr offers a corrective to the object-relations school of depth psychology where so much emphasis is placed on the importance of our relationships with other people for our mental health. Rightly so, Storr agrees, but not exclusively so. For solitude brings many gifts and we need it for repair. Depression, grief, and damage to a sense of trust can be healed in part by solitude. We can use what gifts we have to come to terms with and make sense of suffering. Creative acts can help us overcome a feeling of helplessness.

Storr thus calls us back to a simple truth we have surely always known—that solitude contributes to contentment, that when we are alone we need not be unhappy. Indeed, even for the average person, let alone the greatly gifted one, solitude is the natural habitat for the creative imagination. Storr draws usefully on Jung as a depth psychologist who taught his patients how to listen to the inner voice of the psyche that moves the lost soul to rediscover its proper path and to contribute to the world. In this sense, the attitude required not just of the patient but of all of us who return in any significant way to solitude is a religious one—listening to otherness as it addresses us. Out of such hearing comes the capacity to talk about what matters.

This is a good book with wide-ranging information about kinds of solitude and the persons who pursued it. My only regret is that Dr. Storr did not make greater use of the literature and lives of the religious mystics. There we find examples, with richly instructive detail, of how pursuit of our own thought and feeling in solitude lead far outside a narrow construction of self to the very heart of Being, possibly with world-changing results. □

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THOSE GIANT APPETITES

THE PREDATORS' BALL
The Junk Bond Raiders
and the Man Who Staked Them
Connie Bruck
Simon and Schuster, $19.95, 385 pp.

HIGH STEPPERS, FALLEN ANGELS, & LOLLIPOPS
Wall Street Slang
Kathleen Odean
Dodd, Mead, $17.95, 212 pp.

Robert Jackall

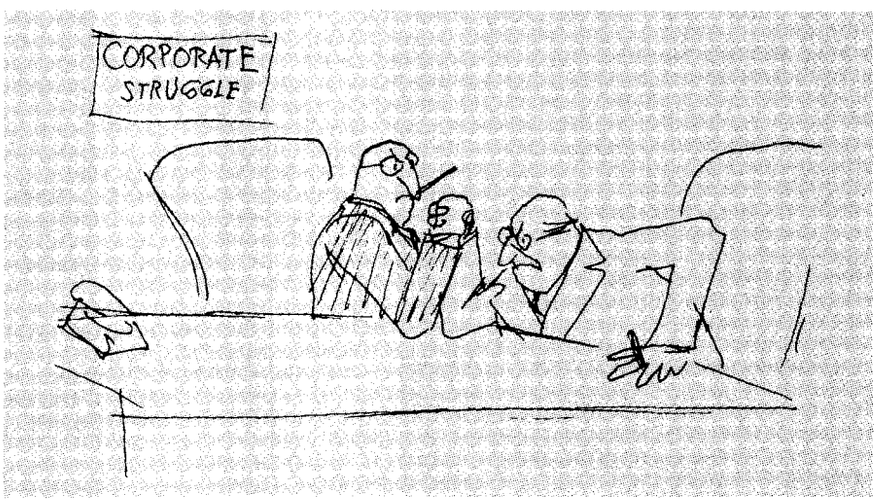
The Predators' Ball describes the ascendancy of Drexel Burnham Lambert, the investment firm that transformed capital markets in the last decade with high yield "junk" bonds. Journalist Connie Bruck's book focuses in particular on the remarkable career of Michael Milken, the "junk bond king," whose financial wizardry has been the money machine behind Drexel's success. The book's title refers to Drexel's annual gathering of old and prospective clients, including Milken's loyal circle of associates in the corporate takeover wars of the 1980s. Kathleen Odean's *Highsteppers, Fallen Angels, & Lollipops* is an analytic lexicon of Wall Street's linguistic folklore. Taken together, these books provide some intriguing views of a key occupational community in our society.

The best section of Bruck's otherwise poorly written and sloppily edited volume is entitled "Pawns Capture Kings." In three long chapters, admirable for their tenacious unraveling of extremely complicated transactions, Bruck details a series of hostile takeover bids by what one of her informants calls Milken's "monsters." These are men like Nelson Peltz, Peter May, Victor Posner, and Ron Perelman who, emboldened by the financial power of junk bonds, buy companies principally for use as staging arenas to make runs at still bigger targets. Their insatiable ambition to be industrial statesmen serves Drexel and Milken by creating pressure in the market on virtually any company whose stock is undervalued. More and more firms can thus come "into play," that is, become vulnerable. The whole game works only because of Milken's ability to place the debt incurred by giant takeover bids with his "daisy chain" of cronies. Once in this game, one continues to buy new junk offerings from Milken or one runs the risk of being cut out of future lucrative deals. One might even become a target of another of Milken's monsters.

With some exceptions, these would-be industrialists do not buy big companies in order to operate them. In fact, the main point of acquisition is a big payday gained by "busting up" companies, selling off pieces in order to "pay down" the debt entailed by purchase. If all goes well, one can get the "crown jewel" of a company—its most profitable enterprise, preferably with lots of cash flow—for free. In her witty and entertaining book, Odean reports a joke that suggests corporate sentiment about the financial backers of "bust-up artists." Q. How many investment bankers does it take to change a light bulb? A. Two. One to smash the bulb with a baseball bat and one to find buyers for the fragments. But Milken and his associates reject such a dim view. They see themselves as avenging angels, forcing fat and indolent American managers to pay attention to stockholders' rightful claims.

Fellow Wall Streeters have also directed considerable animosity toward Drexel and Milken. In its heyday, Drexel saw itself, and was seen by others, as a brawling intruder into Wall Street's cozy "white shoe" world. Such ancient hostility against *arrivistes* is now coupled with an aggressive moralism, judging from publications like the *Wall Street Journal* and *Barron's*. Both Drexel and Milken have fallen on hard legal times. In December 1988, Drexel agreed to plead guilty to six felony counts for fraud of various sorts; indictments against Milken on similar charges are expected any day.

As it happens, the many sermons, and the occasional outright gloating, about Drexel's current troubles do not seem to have deterred grabs for Drexel's share of the mergers and acquisition market, Wall Street's current big ticket item. Odean's analysis is instructive here. She notes that the key metaphors of the Street are those of "dominance, violence, sex, gambling, and uncleanliness." Wall Streeters pit themselves day after day against a chaotic and unpredictable market and they look for whatever edge they can get to beat the next guy to a trade. One firm's legal problems are another firm's potential bonanza. And one need



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only reflect briefly on the history of the Robber Barons, to whom some of Milken's associates like to compare themselves, to recall that today's moral depredations can easily become tomorrow's standard operating procedures. Perhaps with this longer view in mind, Drexel has launched a crisis management program, complete with extensive advertising and public relations campaigns, to enlighten public opinion about the wonders of junk bonds.

Drexel's and Milken's saga may be a parable for our perilous economic times. Big institutional investors now dominate our financial markets, often causing wild swings in valuation with their "quick in, quick out" philosophy. Business managers live and die in the short term and, more often than not, will take the money and run. The current watchword in American business is: "It is cheaper to buy than to rebuild." So, many managers prefer to purchase other companies rather than refurbish their own declining assets, run down by years of trimming costs. Only a few American businesses regularly distinguish themselves with concern for workers or for local communities. Staggering debt, private as well as public, has become a hallmark of the American economy. And, according to Odean, a key maxim of professional investors is: "The public is always wrong." Perhaps Drexel and Milken, with brilliant efficiency, have simply mastered the institutional logic of our economic system and taken it to an expedient conclusion. □

REVIEWERS

ELIZABETH BEVERLY *is writing a book about her encounter with the Mandinka culture of Senegal.*

EDWARD R.F. SHEEHAN *is the author of* Agony in the Garden: A Stranger in Central America, *to be published in March by Houghton Mifflin.*

ANN BELFORD ULANOV *is a Jungian analyst and professor of psychiatry and religion at Union Theological Seminary in New York.*

ROBERT JACKALL *'s most recent book is* Moral Mazes: The World of Corporate Managers *(Oxford).*

CORRESPONDENCE

(Continued from page 98)

been and remains much more difficult than its envisioning in a conciliar decree.

This difficulty accounts for much of the lack of success of the reform, I think. It's not simply lack of understanding or motivation; the elements of change envisioned by the council are difficult to implement, even in the best circumstances. That is especially true, as Searle points out, of the council's great vision of a new way of thinking about and being church, of which the liturgical reform was the cornerstone.

As to the link between social justice and liturgy, so central to Virgil Michel's thinking and so much a part of the foundation of the European liturgical movement before the council, it was the root of the popular liturgical movement. The Catholic Congress at Malines, Belgium—at which Lambert Beauduin made his initial call for a liturgical movement (1909)—was struggling with the workers' interest in socialism and disinterest in a bourgeois church. Virgil Michel's interest in social justice took on added force after the stock market crash of 1929, in the face of ten million unemployed U.S. workers who were asking, as their European counterparts had been for some time, whether capitalism could work.

I must disagree with Searle's conclusions, therefore. The call for a new liturgical movement cannot be a mere development of themes and concepts. A movement is a social phenomenon; it follows certain rules. First, it is a response to real issues and needs that become felt, experienced—a growing irritation, an unscratched itch. The original liturgical movement found such irritations in history (the Latin liturgy had wandered far from its origins) and evangelization (the growing gap between a medieval liturgy and a modernizing world, to which the liturgy remained exterior). Second, a movement requires leaders with charisma. Lambert Beauduin, Virgil Michel, even Prosper Guéranger were passionate about the liturgy and, apparently, about the needs of the working class. Third, movements are change-oriented. They are looking for something new, a something that may be sketchy, over the horizon, but which is clearly different from what now exists.

It is unlikely that a common agenda agreed on by the institutional organizations that you mention—including mine—would produce any of these three items. I wish we would; I wish we could, for it seems to me that we now face a new and much larger question. In the face of profound contemporary realities such as individualism in economics, isolationism in contemporary lifestyles, uncertainty about our place in an expanding cosmos, the disorientation that comes from rethinking our myths, this is the question we now face: Will institutional religion stay open (or reopen itself—aggiornamento) to the winds of change stirred up by our science and society? Is the answer to that challenge a new liturgical movement? Perhaps, but it will have to be a movement with a mighty wide umbrella.

REV. VIRGIL C. FUNK
President, National Association
of Pastoral Musicians

Democrats & abortion

Baton Rouge, La.

To the Editors: Your assessment of Mr. Dukakis's losing campaign ["A Door Swings Shut, Again," December 2] was accurate enough; however, your inference that many Catholics voted against the Democratic presidential candidate because he didn't exhibit a "consistent ethic of life," is wishful thinking. The only life ethic that counted was his pro-choice abortion stand, for Mr. Bush was no more consistent than Mr. Dukakis, despite the avowed effort of the NCCB to persuade voters to consider all social issues rather than a single issue (abortion). It obviously did not change many Catholic minds, including that of some very vocal bishops. I doubt it can be proved that Mr. Dukakis's "principled opposition to capital punishment" actually gained him any votes.

The belief that the abortion problem is "cultural" rather than "political and economic" is also mostly myth. If the

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courts declare it legal for the states to refuse to spend tax monies for abortions, abortion will no longer be much of a problem. There was very little public outcry as long as abortion was limited to rich and middle-class women paying for their own abortions, and calling them DNCs. It was the economics of spending tax monies for poor women that raised the hackles of the political right. Even most Catholics considered abortion a forgivable sin, rather than an unpardonable crime.

It is true, as David R. Carlin, Jr. opines ["Oh, To Be a Hoosier," December 2], that liberalism is a serious drag on Democratic candidates for president, but I disagree with his advice that the Democratic party should reassess it's loyalty to "cultural liberalism." I can remember when Roman Catholicism was a serious drag on presidential candidates, but it was perseverance, not reassessment, that overcame the obstacle. I personally hope liberals (cultural or otherwise) will persevere both in and out of the major political parties.

RAY E. INGRAM

A strategic debate

West River, Md.

To the Editors: Bryan Hehir is not exactly a Middle East expert, and neither am I, but I know the difference between a strategy and a debate ["Zero-Plus Game: A Strategy for the Middle East," January 27]. Hehir does not give us a strategy; he invites us to a debate. The word debate occurs seven times in a brief article.

A strategy would seem to require that the United States make clear to Israel that its refusal to negotiate with the PLO will adversely affect the U.S. willingness to support Israel with economic and military assistance. The task for the U.S. is to conduct a credible diplomacy to this end, not to arrange a public debate between the two parties.

The countries of the European community seem ready to join in such diplomacy. Is the United States? Scholars like debates because they sometimes clarify issues, but diplomacy is needed to resolve them.

EDWARD DOHERTY

The editors reply:

Both the title and subtitle of Hehir's column were written by the editors. We reasoned that the point of Hehir's column was not only to provide information for our readers, but to create among them support for those espousing positive "zero-plus" positions in the public debate on the Middle East. Hehir's examples include the positions of Abba Eban, Arthur Hertzberg, and Walid Khalidi. It is public support of such positions in the current debate that could influence U.S. policy for the better. That still sounds like a strategy to us.

THE EDITORS

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The Company at Kirkridge, an inclusive network of contemporary Christians will have a weekend with Willis Elliott on *Scrupulous Godlessness,* a look at our current American polarization on God-talk in public. Join us to worship, support and stimulate inward-outward journeys. For more information write Anthony Ciccariello, 520 W. Gray Street, Elmira, New York 14905.

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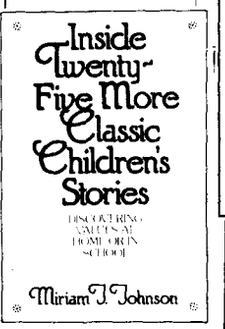

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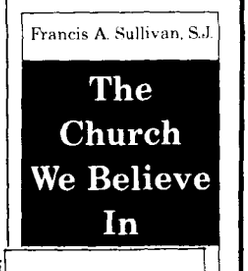

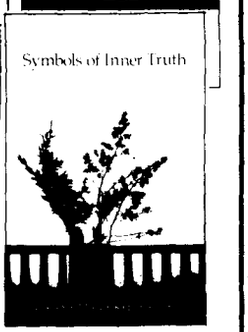

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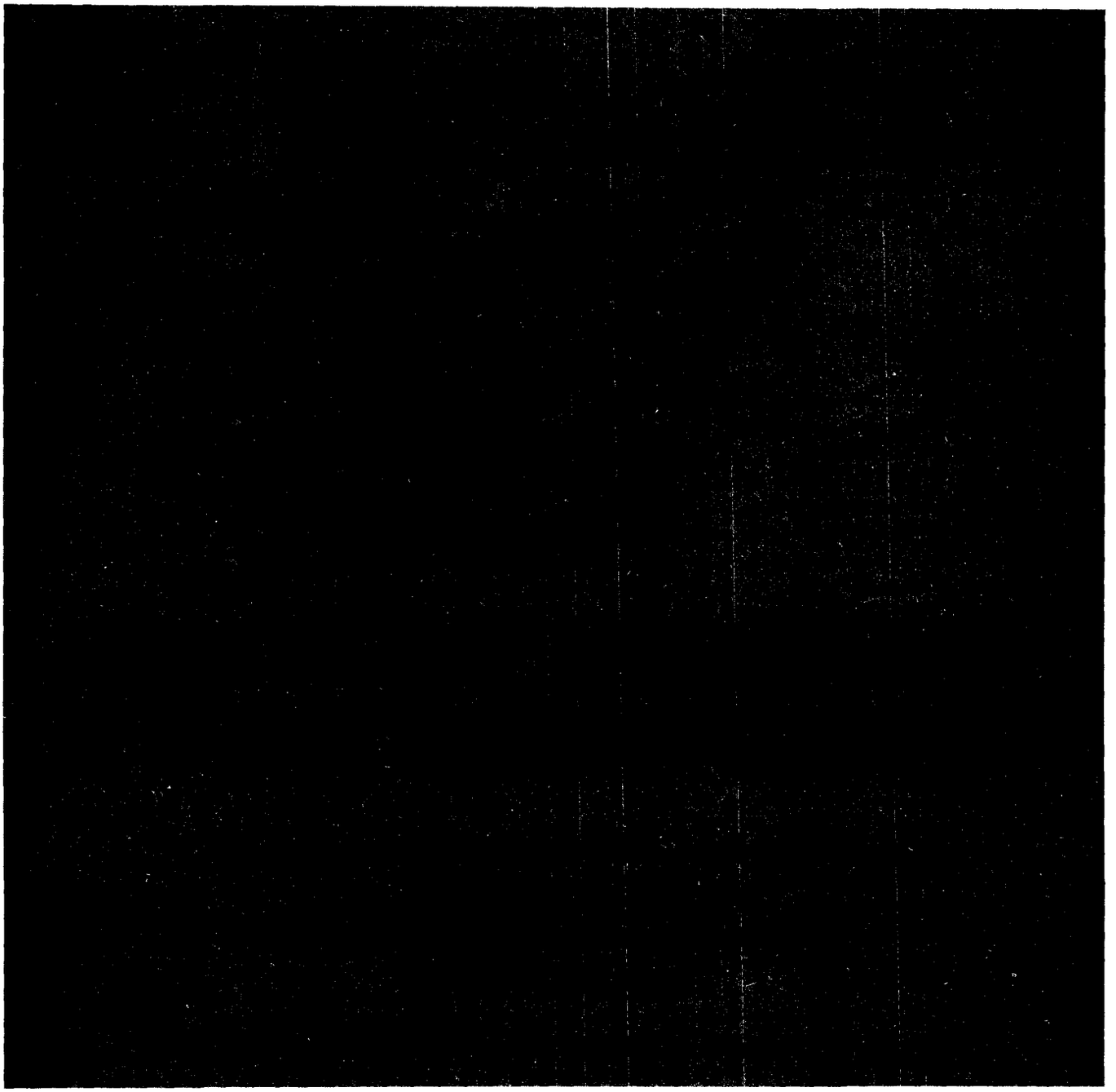

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